
In The
Supreme Court of Virginia

Record No. _____

In re PARISA DEGHANI-TAFTI,

Petitioner.

VERIFIED PETITION FOR WRIT OF PROHIBITION

Parisa Dehghani-Tafti
Commonwealth Attorney
Arlington County and the City of
Falls Church, Virginia

By Counsel



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August 14, 2020

Counsel for Petitioner

Petitioner, by and through counsel and pursuant to Va. Const. art. VI, § 1, Va. Code § 8.01-644, and Rule 5:7 of the Rules of the Supreme Court of Virginia, respectfully petitions this Court for the issuance of a writ of prohibition directed to the Circuit Court for 17th Judicial Circuit Court of Virginia (“Circuit Court”), and in support thereof provide the memorandum in support filed herewith, and state:

1. Petitioner is the Commonwealth’s Attorney for Arlington County and the City of Falls Church and petitions this Court on behalf of the Office of the Commonwealth’s Attorney for Arlington County and the City of Falls Church (“Office of the Commonwealth’s Attorney”).

2. Respondent is the Circuit Court for 17th Judicial Circuit Court of Virginia.

3. Pursuant to rights the rights and obligations conferred by the legislature and the Constitution of Virginia, the Office of the Commonwealth’s Attorney is charged with prosecuting criminal offenses and must constantly weigh decisions about which cases to prosecute, including when to amend, prosecute, or terminate those charges.

4. On March 4, 2020, the Arlington Circuit Court, in an abrupt reversal of long-standing practice, *sua sponte* issued a blanket order (“Order”) requiring that Commonwealth’s Attorneys in Arlington provide, in detail and in writing, “all factual. . .bases” in support of *every* decision made by the Office of the Commonwealth’s Attorney to (i) amend an indictment, (ii) move for *nolle prosequi*, (iii) dismiss a case, and (iv) provide in writing any sentencing guidelines and justification for every departure therefrom, as well as all plea agreements.

5. The Order exceeds the authority of the Arlington Circuit Court because it violates the constitutionally mandated separation of powers between the judicial and executive branch, infringes on the substantive rights of the Office of the Commonwealth’s Attorney, and exceeds the statutory authority of the Arlington Circuit Court.

6. Petitioner has a clear right to the relief sought because the Order trespasses on the rights and obligations conferred upon the Office of the Commonwealth’s Attorney by the legislature and the Constitution of Virginia.

7. The taking of evidence will not be necessary for the proper disposition of this petition.

WHEREFORE, Petitioner respectfully prays as follows:

That this Court will issue a writ of prohibition

- A. Prohibiting the Circuit Court from enforcing the Order;
- B. Ordering the nullification of the Order; and
- C. Any other relief the Court deems appropriate.

Dated: August 14, 2020

Respectfully Submitted,

Parisa Dehghani-Tafti
Commonwealth Attorney
Arlington County and the City of
Falls Church, Virginia

By Counsel



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