

Tuesday

5th

December, 2000.

Dennis M. Williams, s/k/a
Dennis Muhammed Williams,

Appellant,

against Record No. 1038-99-3
Circuit Court Nos. CR96000902-00 and
CR97000392-00

Commonwealth of Virginia,

Appellee.

Upon a Rehearing En Banc

Before Chief Judge Fitzpatrick, Judges Benton, Coleman, Willis,
Elder, Annunziata, Bumgardner, Frank, Humphreys and Clements

Rickey G. Young for appellant.

Richard B. Smith, Senior Assistant Attorney
General (Mark L. Earley, Attorney General,
on brief), for appellee.

A panel of this Court reversed that part of the judgment of the trial court with regard to appellant's conviction of possession of more than five pounds of marijuana with intent to distribute (CR96000902-00). See Williams v. Commonwealth, 32 Va. App. 554, 529 S.E.2d 799 (2000). We stayed the mandate of that decision and granted rehearing en banc.

Upon rehearing en banc, the judgment of the trial court with regard to that conviction is affirmed without opinion by an evenly divided Court. The appellant shall pay to the Commonwealth of

