

COURT OF APPEALS OF VIRGINIA

Present: Judges Baker, Benton and Bray  
Argued at Richmond, Virginia

CARLTON A. VAUGHAN, III

v. Record No. 1596-96-2

COMMONWEALTH OF VIRGINIA

MEMORANDUM OPINION\* BY  
JUDGE RICHARD S. BRAY  
JANUARY 20, 1998

FROM THE CIRCUIT COURT OF HANOVER COUNTY  
Richard H.C. Taylor, Judge

L. Willis Robertson, Jr. (Cosby and  
Robertson, on brief), for appellant.

Monica S. McElyea, Assistant Attorney General  
(James S. Gilmore, III, Attorney General, on  
brief), for appellee.

Carlton A. Vaughan, III, (defendant) appeals his conviction for several burglaries and related grand larcenies, arguing that the prosecutions violated Code § 19.2-243, the "speedy trial" statute. We agree and reverse the convictions.

Defendant is familiar with the salient procedural history, and we recite only those circumstances necessary to a disposition of this appeal.

Defendant and codefendants, John Bradley Madison and Gerald E. Baker, Jr., were prosecuted before the trial court for several burglaries and attendant offenses. Each defendant was represented by separate counsel, but the respective prosecutions shared identical procedural courses, together with like motions,

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\*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

arguments, orders and other events pertaining to the speedy trial issue. Accordingly, each defendant appealed his convictions to this Court, asserting that Code § 19.2-243 barred the disputed prosecutions and convictions.

In Baker v. Commonwealth, a panel of this Court concluded that the Commonwealth had "fail[ed] to provide [codefendant Baker] a speedy trial as required by Code § 19.2-243" and reversed the convictions. 25 Va. App. 19, 20-21, 486 S.E.2d 111, 112, aff'd en banc, 26 Va. App. 175, 493 S.E.2d \_\_\_\_ (1997).

Finding that Baker controls the disposition of this appeal, we similarly reverse and dismiss the instant convictions.

Reversed and dismissed.