

VIRGINIA:

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IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA
CHRISTOPHER J. FALCON
CLERK, CIRCUIT COURT
FAIRFAX, VA
CASE NO: FE-2020-200

v.

ABDULLOI TOSHPULODZODA,
Acquittee.

COMMONWEALTH'S MOTION FOR ISSUANCE OF CAPIAS

COMES NOW the Commonwealth of Virginia, by her Senior Assistant Commonwealth's Attorney, and moves this Court for the immediate issuance of a capias for the arrest of the Acquittee, Abdulloi Toshpulodzoda. In support of this Motion, the Commonwealth states as follows:

BACKGROUND

1. On October 20, 2022, the Acquittee was found Not Guilty by Reason of Insanity of Second-Degree Murder and was subsequently committed to the custody of the Commissioner of the Department of Behavioral Health and Developmental Services pursuant to Virginia Code §§ 19.2-182.2 and 19.2-182.3.
2. On June 29, 2026, following a hearing concerning the Acquittee's continued need for inpatient hospitalization, this Court found that the Acquittee remained mentally ill and in need of inpatient hospitalization. The Court ordered that the Acquittee be recommitted to the custody of the Commissioner.

3. The Court further ordered: “The Acquittee remains under the jurisdiction of this Court and shall not be released from custody and inpatient hospitalization without further order of this Court.”
4. The Court scheduled the next review of the Acquittee’s need for inpatient hospitalization for June 17, 2027.
5. The Court has not entered any subsequent order conditionally releasing or discharging the Acquittee from inpatient hospitalization or from the custody of the Commissioner.
6. Pursuant to Virginia Code § 19.2-182.4, the Northern Virginia Mental Health Institute (“NVMHI”) had authorized the Acquittee to participate in unaccompanied community visits not exceeding forty-eight hours. That authorization did not conditionally release or discharge the Acquittee from his commitment. The Acquittee remained subject to this Court’s June 29, 2026 Order and remained in the legal custody of the Commissioner throughout any temporary community visit.
7. On July 6, 2026, the Acquittee was permitted to leave NVMHI on an approved forty-eight-hour pass to an apartment made available through the Fairfax Permanent Supportive Housing Program. He was required to return to NVMHI on July 8, 2026.
8. The Acquittee did not remain at the approved community location. Instead, on the evening of July 6, 2026, he boarded an international flight at Washington Dulles International Airport and traveled to Istanbul, Turkey. He thereafter traveled to Dushanbe, Tajikistan. *See* CW’s Exhibit 1.
9. The Acquittee failed to return to NVMHI on July 8, 2026, as required. NVMHI placed him on escape status, revoked his pass, and issued a facility warrant pursuant to Virginia Code § 37.2-834. *See* CW’s Exhibit 2.

10. The facility warrant issued under § 37.2-834 authorizes an officer to apprehend the Acquittee and return him to an appropriate state facility. By statute, however, that warrant may be executed only “in any part of the Commonwealth.” It does not provide adequate judicial process for apprehending and detaining the Acquittee if he attempts to reenter the United States through a port of entry outside Virginia.
11. The Virginia State Police and federal authorities have been notified of the Acquittee’s departure. United States Customs and Border Protection has issued an alert in the event the Acquittee attempts to return to the United States. A judicial capias is necessary to ensure that the Acquittee may be apprehended and detained if he presents at any United States port of entry or is otherwise located within the United States.

ARGUMENT

The Acquittee remains subject to this Court’s jurisdiction, its June 29, 2026 recommitment order, and the statutory provisions governing persons acquitted by reason of insanity. The temporary pass authorized by NVMHI did not terminate the Acquittee’s commitment or release him from the Commissioner’s legal custody. By deliberately leaving the approved community placement, departing the United States, and failing to return to NVMHI, the Acquittee absconded from the custody imposed by this Court’s Order. Because the facility warrant presently in effect is limited to execution within Virginia, issuance of a judicial capias is necessary to preserve the Court’s jurisdiction and enforce its continuing order of inpatient commitment.

I. The Acquittee Remains Committed to the Commissioner’s Custody and Subject to This Court’s Continuing Jurisdiction.

On June 29, 2026, this Court found that the Acquittee remained mentally ill and in need of inpatient hospitalization. Consistent with Virginia Code § 19.2-182.5(C), the Court recommitted

him to the custody of the Commissioner and expressly ordered that he “remain[] under the jurisdiction of this Court” and “not be released from custody and inpatient hospitalization without further order of this Court.” No further order has been entered

Virginia Code § 19.2-182.4 permits the Commissioner to authorize a temporary therapeutic visit outside the hospital without first obtaining approval from the committing court. That limited authority exists as part of the Commissioner’s management of an acquittee who remains committed for inpatient hospitalization. It does not authorize the Commissioner to conditionally release or discharge an acquittee, and it does not alter the committing court’s existing order. The authorization issued to the Acquittee reflects that distinction. It permitted unaccompanied community visits lasting no longer than forty-eight hours. It did not authorize international travel, release the Acquittee from the Commissioner’s custody, or supersede this Court’s recommitment order. The Acquittee remained subject to that Order throughout the temporary pass and was required to return to the NVMHI on July 8, 2026.

The Acquittee instead used the temporary pass to leave the approved community placement, depart the United States, and evade his continued inpatient commitment. His physical departure did not terminate the Commissioner’s legal custody, supersede the recommitment order, or divest this Court of jurisdiction. The Acquittee remains committed to the Commissioner’s custody and subject to the June 29, 2026 Order unless and until this Court orders otherwise.

II. A Capias Is Necessary to Enforce the Court’s Recommitment Order.

After the Acquittee failed to return, the NVMHI issued a warrant pursuant to Virginia Code § 37.2-834. That warrant authorizes law enforcement to apprehend the Acquittee and return him to a state facility. Its reach, however, is expressly limited to execution “in any part of the

Commonwealth.” It therefore provides a means to apprehend the Acquittee if he is found in Virginia, but it does not adequately address his international departure or the possibility that he may reenter the United States through another state.

The Acquittee remains subject to this Court’s jurisdiction and its existing order of inpatient commitment. The requested capias would not impose a new commitment or alter his legal status. It would provide the judicial process necessary to enforce the commitment already ordered by the Court and secure the Acquittee’s detention if he is located outside Virginia.

United States Customs and Border Protection has issued an alert in the event the Acquittee attempts to return to the United States. An alert alone, however, does not ensure that the Acquittee can be arrested and detained if he presents at a port of entry outside Virginia. A capias with nationwide extradition authorized would provide notice that the Acquittee is subject to active judicial process and that Virginia will seek his return from any jurisdiction in which he is apprehended.

Accordingly, the Commonwealth requests that the Court issue a capias for the Acquittee’s arrest with nationwide extradition authorized. Upon apprehension, the Acquittee should be detained pending extradition to Virginia and transfer to the custody of the Commissioner. He should not be released on bond or otherwise because he remains subject to the Court’s June 29, 2026 Order requiring his continued custody and inpatient hospitalization.

III. Alternatively, the Court May Issue a Capias to Show Cause Pursuant to Virginia Code § 18.2-456(A)(5).

Virginia Code § 18.2-456(A)(5) authorizes a court to issue process for contempt based upon the disobedience of or resistance to any lawful judgment, decree, or order of the court. The

Court's June 29, 2026 Order expressly required that the Acquittee remain under the Court's jurisdiction and not be released from custody or inpatient hospitalization without further order.

The Acquittee was present with counsel when the Court ordered his continued inpatient commitment. He thereafter used a temporary community pass to leave the approved placement, depart the United States, and avoid returning to the Commissioner's custody. His conduct establishes probable cause to believe that he disobeyed and resisted the continuing operation of the Court's Order.

Ordinarily, a Rule to Show Cause provides notice of an alleged violation and directs the respondent to appear before the Court. If the respondent fails to appear, the Rule may be followed by a Capias to Show Cause compelling his appearance. That procedure would serve no practical purpose here. The Acquittee has fled the United States, his current location is outside the Commonwealth, and he is unavailable for service of ordinary process. A Rule to Show Cause would neither secure his appearance nor authorize his apprehension if he attempts to reenter the United States.

Under these circumstances, the Court may issue a Capias to Show Cause directing that the Acquittee be apprehended and brought before the Court to answer for his alleged disobedience of the June 29, 2026 Order. The capias would not adjudicate the Acquittee in contempt or impose punishment in his absence. It would secure his appearance while preserving his right to notice, counsel, and an opportunity to be heard before any determination of contempt.

Accordingly, if the Court determines that a capias should not issue solely to enforce the existing recommitment order, the Commonwealth alternatively requests issuance of a Capias to Show Cause pursuant to § 18.2-456(A)(5), with nationwide extradition authorized. Upon

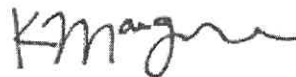
apprehension, the Acquittee should be detained pending extradition to Virginia, further proceedings before this Court, and transfer to the Commissioner's custody pursuant to the existing recommitment order.

CONCLUSION

The Acquittee remains committed to the custody of the Commissioner and subject to this Court's June 29, 2026 Order requiring his continued inpatient hospitalization. His temporary community pass did not alter that status, and his decision to leave the United States did not terminate the Commissioner's legal custody or this Court's continuing jurisdiction. Because the facility warrant issued pursuant to Virginia Code § 37.2-834 is limited to execution within the Commonwealth, additional judicial process is necessary to ensure that the Acquittee may be apprehended and detained if he attempts to reenter the United States through another jurisdiction.

WHEREFORE, the Commonwealth respectfully requests that this Court issue a *capias* for the arrest of Abdulloi Toshpulodzoda, and order that, upon apprehension, the Acquittee be detained pending extradition to Virginia and transfer to the custody of the Commissioner of the Department of Behavioral Health and Developmental Services. Alternatively, the Commonwealth requests that the Court issue a *Capias to Show Cause* pursuant to Virginia Code § 18.2-456(A)(5), with nationwide extradition authorized, and grant such other relief as the Court deems appropriate.

Respectfully submitted,



Kaitlin Morgan (VSB #97131)
Senior Assistant Commonwealth's Attorney
4110 Chain Bridge Rd, Suite 114
Fairfax, VA 22030

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA	)	
	)	CRIMINAL NUMBER FE-2020-200
v.	)	
	)	INDICTMENT – MURDER
ABDULLOI TOSHPULODZODA,	)	
Defendant	)	

NOT GUILTY BY REASON OF INSANTY ORDER

THIS MATTER COMES this day for hearing for one count of murder in violation of Section 18.2-32 of the 1950 Code of Virginia, as amended.

The Defendant, Abdulloi Toshpulodzoda, was represented by counsel, and the Commonwealth by her Assistant Commonwealth's Attorney.

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The Defendant was arraigned on the charge, and after private counsel with his attorney of record, pleaded Not Guilty by Reason of Insanity, which was tendered by the Defendant in person and by defense counsel. Then, after having been first advised by counsel and by the Court of the right to trial by jury, the Defendant knowingly and voluntarily waived trial by jury and with the concurrence of the Commonwealth and the Court, proceeded to hear and determine the case without the intervention of a jury. The Court thereafter entered a Plea of Not Guilty by Reason of Insanity Plea Colloquy with the Defendant and, thereafter,

The Commonwealth and the Defendant presented evidence by way of testimony, proffer, and/or stipulation.

The Court, having heard the evidence and argument of counsel, hereby finds the Defendant, Abdulloi Toshpulodzoda, Not Guilty by Reason of Insanity at the time of the offense.

The Court hereby remands the Defendant to the temporary custody of the Commissioner of Behavioral Health and Developmental Services (Commissioner)

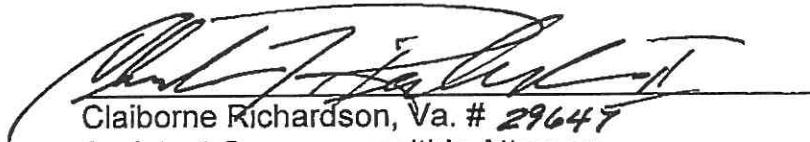
pursuant to Virginia Code Section 19.2-182.2 for evaluation as to whether the acquittee may be released with or without conditions or requires commitment. This evaluation shall be performed in accordance with Va. Code Section 19.2-182.2 by one psychiatrist and one clinical psychologist, with separate reports returnable to this Court, to defense counsel, to counsel for the Commonwealth, and to the Fairfax County Community Services Board on or before 45 days. The acquittee is ordered to comply with the evaluation.

Therefore, this matter is continued to January 27, 2023 at 10 am for review of the reports of the Commissioner, and for disposition pursuant to Va. Code Sections 19.2-182.3, 19.2-182.4, 19.2-182.5 and 19.2-182.7.

ENTERED this 20th day of October, 2022.


J U D G E

WE ASK FOR THIS:


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VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA)

v.) FE-2020-200

)

ABDULLOI TOSHPULODZODA)

**ORDER FOR REVIEW OF PLACEMENT OF ACQUITTEE UPON
PREVIOUS NOT GUILTY BY REASON OF INSANTY ORDER**

THIS MATTER, came for review of the reports of the Department of Behavioral Health and Developmental Services (DBHDS), and for disposition pursuant to Va. Code Sections 19.2-182.3 and 19.2-182.7. The defendant having been previously found Not Guilty by Reason of Insanity in the above referenced felony charge of 1ST DEGREE MURDER in violation of Section 18.2-32 of the 1950 Code of Virginia, as amended.

The defendant/acquittee Abdulloi Toshpulodzoda, is represented by his counsel, and the Commonwealth by her Deputy Commonwealth's Attorney; and

IT APPEARING, that the Court had set a review of the Acquittee's placement and received a report from an evaluator that recommended Conditional Release and another evaluator that recommended Inpatient Treatment; it is hereby

ORDERED that the acquittee shall remain the custody of the Department of Behavioral Health and Developmental Services (DBHDS), so that a Conditional Release Plan may be prepared by the Fairfax County Community Services Board and DBHDS to aid the Court in determining, upon review of the evaluations and Conditional Release Plan, whether the acquittee may be released with or without conditions or if commitment is required. The previous evaluations were performed pursuant to Va. Code Sections 19.2-182.2 and 19.2-182.3 and by at least one psychiatrist or one clinical psychologist who is not currently treating the acquittee; and it is therefore.

ORDERED that this matter is continued to February 21, 2023 at 11 am for review of the Conditional Release Plan, Ordered herein, and placement of the

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acquittee by the Court pursuant to Va. Code Section 19.2-182.3 and 182.7, and that any further reports shall be made available to the Court, counsel for the acquittee and counsel for the Commonwealth.

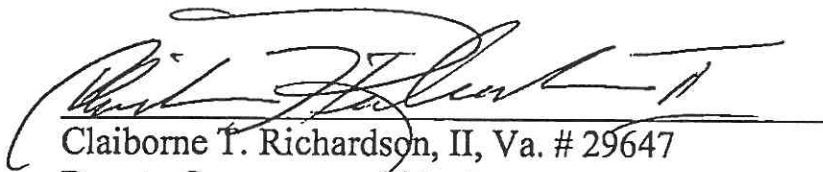
The defendant is hereby remanded to the custody of the Department of Behavioral Health and Developmental Services (DBHDS) until the next court date.

ENTERED this 9th day of February, 2023.

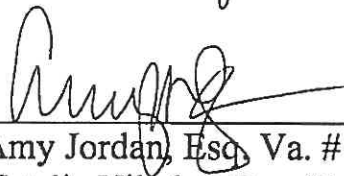


J U D G E

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Seen and agreed _____:


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Natalie Villalon Esq. Va. #
Attorney for Defendant
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nvillalon@vadefenders.org

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
RECORDS PURSUANT TO FEDERAL RULES OF
EVIDENCE 902(11) AND 902(13)**

I, MANOEL FERNANDES, attest, under penalties of perjury by the laws
Name

of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in
this certification is true and correct. I am employed by TURKISH AIRLINES
Entity

(hereinafter "the entity"), and my title is SALES MANAGER. I am qualified
Title

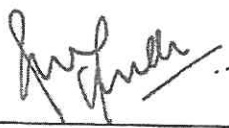
to authenticate the records attached hereto because I am familiar with how the records were
created, managed, stored, and retrieved. I state that the records attached hereto are true
duplicates of the original records in the custody of the provider. The attached records consist of

TICKET & ITINERY OF PASSENGER. I further state that:
Generally describe records (pages/CDs or DVDs/megabytes) AS REQUESTED

- a. all records attached to this certificate were made at or near the time of the occurrence of
the matter set forth by, or from information transmitted by, a person with knowledge of those
matters, they were kept in the ordinary course of the regularly conducted business activity of the
entity, and they were made by the entity as a regular practice; and
- b. such records were generated by the entity's electronic process or system that produces an
accurate result; and
- c. the records were copied from electronic device(s), storage medium(s), or file(s) in the
custody of the entity in a manner to ensure that they are true duplicates of the original records.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the
Federal Rules of Evidence.

8/14/26
Date


Signature

Manuel A. FERNANDES
Sales Manager
Turkish Airlines INC.



>EX//ET-H/TKT-2352525989908

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TURKEY/0235

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ENDORSEMENT REST: DU NOAPP.NONEND/TK ONLY.

TC KIMLIK NO : 0

FIRMA :

VERGI DAIRESI :

YOLCU MAILI : ABDULLODONIYORI@GMAIL.COM/EN (EMAIL)

YOLCU ADRESI :

TOUR CODE :

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ASSOCIATED EMD : 2354124816603/C1

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OK MHVOW 2 (PC)

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ORG: TK IST/ /A/ 10000000 SYS

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42 X3 SSRADTKTK TO TK BY 26JUN 0241 IRC-2/LAST TKT TLT	
43 TROPHY TRPRCTR 17:53Z/25JUN26	
44 A4 S2 TK0254M 07JUL IST DYU FTYP HK1 N32	
45 A4 S1 TK0008M 06JUL IAD IST FTYP HK1 77B	
46 TROPHY2/FLIGHTTYPE TRPRCTR 17:54Z/25JUN26	
47 A4 1S2 TK0254M 07JUL IST DYU RQST HK1 25A/CW	
48 A4 1S2 TK0254M 07JUL IST DYU ASVC HD1 A/0B5/RQST/CHARGEABLE WINDOW STANDART	
49 QUS/ABDULLOI TOSHPU QUSGSIT 21:11Z/06JUL26	
50 A4 1S2 TK0254M 07JUL IST DYU RNST RANDOM SEATING	
51 PSGR QUSGSIT 21:11Z/06JUL26	
52 S4 1S2 TK0254M 07JUL IST DYU ASVC HD1/KK1 A/0B5/RQST/CHARGEABLE WINDOW STAND	
53 TROPHY TRPRCTR 21:12Z/06JUL26	
54 A4 1S1 TK0008M 06JUL IAD IST IOCI HK1 43A	
55 A4 1S2 TK0254M 07JUL IST DYU IOCI HK1 25A	
56 P ITTPRIT 21:12Z/06JUL26	
57 A3 SSROTHSTK TK8/06JUL DELAYED 45 MIN	
58 A3 S1 TK0008M 06JUL IAD IST DLAY TK0008 45 MIN	
59 IRR IRRSUIR 01:36Z/07JUL26	
60 X3 S1 TK0008M 06JUL IAD IST DLAY TK0008 45 MIN	

Section	Detail
61 A3 SSROTHSTK TK8/06JUL DELAYED 130 MIN	
62 A3 S1 TK0008M 06JUL IAD IST DLAY TK0008 130 MIN	
63 IRR IRRSUIR 02:36Z/07JUL26	

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY
CAPIAS

COMMONWEALTH OF VIRGINIA

FE-2020-0000200

COUNTY OF FAIRFAX:

RE: ABDULLOI TOSHPULODZODA

SSN: [REDACTED]
RACE: White
SEX: Male
DOB: 02/14/1992
HEIGHT: 5' 09"
WEIGHT: 165 lbs
COLOR HAIR: Black
COLOR EYES: Brown

Last Known Address:

2946 Edgelea Rd
Vienna, VA 22181

Code 18.2-456
Contempt of Court

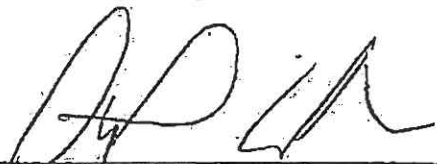
To any Sheriff or Police Officer, Greeting:

We command you to arrest ABDULLOI TOSHPULODZODA, the Acquittee, if he is found and bring him before the Judge of our Circuit Court of the County of Fairfax, at the Fairfax County Judicial Center, FORTHWITH, for escaping from the Department of Behavioral Health and Developmental Services (DBHDS) custody (see attached letter dated July 9, 2026).

You are ORDERED to file a return reflecting how you have executed this Capias.

Given under my hand and seal of this Court on July 22, 2026.

It is recommended that ABDULLOI TOSHPULODZODA, the Acquittee, be held without bond until set by the Circuit Court.


JUDGE STEPHEN C. SHANNON

(EXECUTE AND RETURN THE ORIGINAL)

Executed this _____ day of _____, _____.

By: _____

DocuSign Envelope ID: DD803C9A-041B-8963-82E1-8F4FBD3AD958



COMMONWEALTH of VIRGINIA

DARYL WASHINGTON, LCSW
COMMISSIONERMELISSA GARCIA, LCSW, MBA
CHIEF EXECUTIVE OFFICERDEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICESNorthern Virginia Mental Health Institute
3303 Gallows Rd., Falls Church, VA 22042Telephone: 703 207-7100
Fax: 703 207-4176
www.dbhds.virginia.gov

July 9, 2026

The Honorable Stephen Shannon, Judge
Fairfax County Circuit Court
4110 Chain Bridge Road
Fairfax, VA 22030Court Reference: Abdulloi Toshpulodzoda
Case Number(s): FE-2020-200

NVMHI Reference: Toshpulodzoda, Abdulloi Reg. No.: 559809 DOB: 02/14/1992

Dear Judge Shannon:

I am writing as an updated to my letter dated July 8, 2026 regarding Abdulloi Toshpulodzoda, an individual adjudicated Not Guilty by Reason of Insanity pursuant to the Code of Virginia, Section §19.2-182.2 on October 20, 2022 for the charge of 2nd Degree Murder who escaped from Department of Behavioral Health and Developmental Services (DBHDS) custody.

On the evening of July 8, 2026, Virginia State Police Trooper II Kaser Acosta informed the undersigned that Special Agent Ben Tyler confirmed that Mr. Toshpulodzoda boarded a plane at Dulles International Airport on the evening of July 6, 2026 and arrived in Istanbul, Turkey. An alert was issued with Customs and Border Protection in the event he attempts to return to the United States.

Should you have further questions or concerns, please feel free to contact the undersigned at (703) 645-4004.

Respectfully,

DocuSigned by:
Azure Baron
33742EE2C60F243Azure Baron, Psy.D., CSOTP
Director of Psychology and Forensic Servicesxc: Chaim Mandelbaum, Esq., Office of the Commonwealth's Attorney
Amy Jordan, Esq., Office of the Public Defender
Penelope Konstas, LCSW, Fairfax County Community Services Board

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA) CRIMINAL NUMBER FE-2020-0000200
VERSUS)
ABDULLOI TOSHPULODZODA) INDICTMENT – MURDER
Acquittee.

**NOT GUILTY BY REASON OF INSANITY -
ORDER FOR INPATIENT TREATMENT**

THIS MATTER came before the Court this 21st day of February 2023 upon a return of reports pursuant to Va. Code Ann. § 19.2-182.2 and § 19.2-182.3, and a petition for conditional release filed by the Acquittee to the Court, the Commissioner of the Department of Behavioral Health and Development Services (“Commissioner”) through the Forensic Review Panel (“FRP”) pursuant to Va. Code Ann. § 19.2-182.3 and § 19.2-182.7. Present before the Court were the Acquittee, Claiborne T. Richardson, Deputy Commonwealth’s Attorney, and Amy Jordan, Counsel for Acquittee.

After review of the Community Services Board (CSB) Report, the Continuation of Confinement Report (dated December 29, 2022 by Dr. Rebecca Lindsay), and the Second Opinion Report (dated December 27, 2022 by Dr. William McKenna) prepared pursuant to Va. Code Ann. § 19.2-182.2 and reports and plans through FRP and the Fairfax County CSB, the Court **FINDS** that the Acquittee does not meet the standards and criteria for conditional release and is in need of inpatient hospitalization as set forth in Va. Code § 19.2-182.7 and § 19.2-182.3.

It is therefore **ORDERED** that:

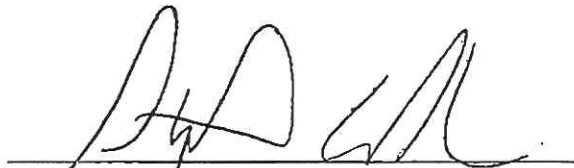
1. The Acquittee shall be remanded for transfer forthwith to the appropriate facility as set forth by the Commissioner of the Department of Behavioral Health and Developmental Services.

2. This matter is continued until February 23, 2024 at 10:00 a.m. for an annual review of the reports of the Commissioner and whether the Acquittee may be released to Va. Code § 19.2-182.7, § 19.2-182.5 and § 19.2-182.3 with or without conditions the Court deems will best meet the Acquittee's need for treatment and supervision and best serve the interests of justice and society.

- a. Copies of this Order will be sent to the Acquittee, Counsel for the Acquittee, the Attorney for the Commonwealth, the CSB, and the Commissioner.
- b. This Court retains jurisdiction over this matter for review, and the Acquittee will not be released conditionally without further order of this Court.

IT IS FURTHER ORDERED that the reports submitted in this case, the conditional release plan, if any, and future progress reports shall be placed under seal and will not be available for inspection except by the Court, the Acquittee, Counsel for the Acquittee, the Attorney for the Commonwealth, the CSB, and the Commissioner.

ENTERED THIS 2nd day of March, 2023.


JUDGE STEPHEN C. SHANNON

IN THE CIRCUIT COURT OF FAIRFAX COUNTY
TO THE SHERIFF OF FAIRFAX COUNTY: The person named below has been
placed in your custody

Name: Abdulloi Toshpulodzoda
AKA:

Case No.: FE-2020-0000200
Attorney: Amy Jordan

Date of Offense: 2/28/25

Total Counts: Felony: Misdemeanor:

Charge(s):
NGRI

OTN/Warrant No: VCC:

Return to NVMHI

Hearing Type:

- | | | | |
|--|---|--|---------------------------------------|
| ☐ Arraignment | ☐ Motion | ☐ Plea | ☐ Trial (Jury) |
| ☐ Bench Trial | ☐ Sentencing | ☐ Revocation | ☐ JDR Appeal |
| ☐ GDC Appeal/Bond | ☐ GDC Appeal/Traffic | ☐ GDC Appeal/Criminal | ☐ Other: |

Disposition: Δ remanded to NVMHI
Next Court Date: 5/23/25 at: 10 for: Review

Jurisdiction: ☐ JDR Court ☐ Fairfax GDC ☐ Fairfax Circuit Court

\$ _____ Bond ☐ Cash ☐ Surety ☐ P.R. ☐ Bond Revoked ☐ No Change in Bond

Sentence Imposed:

Sentence Suspended:

_____	_____
_____	_____
_____	_____

- | | |
|--|--|
| ☐ Consecutive with _____ | ☐ Concurrent with _____ |
| ☐ Suspended Sentence / DNA Test | |
| ☐ Bench Warrant Discharged / Dismissed Dated: _____ | |
| ☐ Order into Program _____ Consider for: _____ | |
| ☐ Supervised Release Program | |
| ☐ Work Release Program | ☐ Community Labor Force (CLF) |
| ☐ Men's / Women's Recovery Program | ☐ Substance Abuse Education Program |
| ☐ Sentenced to Serve Weekends in Jail | To Report: _____ |
| ☐ PB-15 _____ replaced by Bench Warrant issued on _____ | |

Judge: Stephen C. Shannon

Date: February 28, 2025

Deputy Clerk: Dana

Original: Jail

Yellow: File

Pink: To lower court if bond in GDC or J&DR amended

VIRGINIA:

IN THE FAIRFAX COUNTY CIRCUIT COURT

COMMONWEALTH OF VIRGINIA,

v.

ABDULLOI TOSHPULODZODA,
Acquittee.

:
:
:
:
:
:
:
:

Case No.: FE-2020-200

Hearing Date: February 28, 2025

**NOT GUILTY BY REASON OF INSANITY – ORDER FOR SECOND
CONDITIONAL RELEASE PLAN-REVIEW HEARING**

3/2/28
C
THIS MATTER came before the Court this 28TH day of February 2025 upon a review date and return of a report dated January 22, 2025, pursuant to Va. Code Ann. § 19.2-182.5. Said report, filed by Dr. Bethzaida Felix-Santiago, returned a finding that the Acquittee is eligible for conditional release. Based on the findings of said report and pursuant to Va. Code Ann. § 19.2-182.5, the Commonwealth requested a second opinion pursuant to the statute, and that Court order a Conditional Release plan from the Commissioner of the Department of Behavioral Health and Developmental Services (“Commissioner”) through the Forensic Review Panel (“FRP”) pursuant to Va. Code Ann. § 19.2-182.3 and § 19.2-182.7.

Present before the Court were, the Acquittee, Claiborne T. Richardson, Deputy Commonwealth’s Attorney; and Amy Jordan, Esq., counsel for Acquittee it is therefore

ORDERED that this matter is continued to May 23, 2025
for review of the second opinion and the Conditional Release Plan Ordered herein, and placement of the acquittee by the Court pursuant to Va. Code Section 19.2-182.3 and 182.7, and it is

ORDERED that said second opinion report and Conditional Release plan shall be made available to the Court, counsel for the acquittee and counsel for the Commonwealth on or before May 9, 2025.

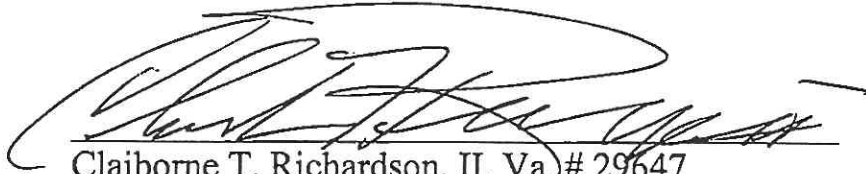
The defendant is hereby remanded to the custody of the Department of Behavioral Health and Developmental Services (DBHDS) until the next court date.

ENTERED this 28th day of February, 2025.



J U D G E

I ASK FOR THIS:



Claiborne T. Richardson, II, Va. # 29647
Deputy Commonwealth's Attorney
4110 Chain Bridge Road, Rm. 114
Fairfax, Virginia, 22030
703-246-2776-phone; 703-691-4004fax
Claiborne.Richardson@fairfaxcounty.gov

Seen and agreed _____:

Gretchen Schumaker Gretchen Schumaker CEO
Amy Jordan, Esq. Va. # _____ Amy Jordan
Attorney for Defendant
4103 Chain Bridge Road, Suite 500
Fairfax, Virginia 22030
Ph: 703-323-1200; Fax: 703-934-5600 ex.
ajordan@vadefenders.org

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA)
VERSUS)
ABDULLOI TOSHPULODZODA) CRIMINAL NUMBER FE-2020-0000200

TRANSPORTATION ORDER

It appearing to the Court that matters are currently pending against ABDULLOI TOSHPULODZODA, the Defendant, in the Circuit Court of Fairfax County, Virginia and the presence of the Defendant in this case is necessary for the case to proceed in the above styled matter.

The Defendant is currently incarcerated in the Northern Virginia Mental Health Institute.

It is therefore **ORDERED** that the Sheriff of Fairfax County deliver the said individual to the Fairfax County Circuit Court to appear on February 28, 2025 at 10:00 a.m. for the annual review.

Entered on February 24, 2025.

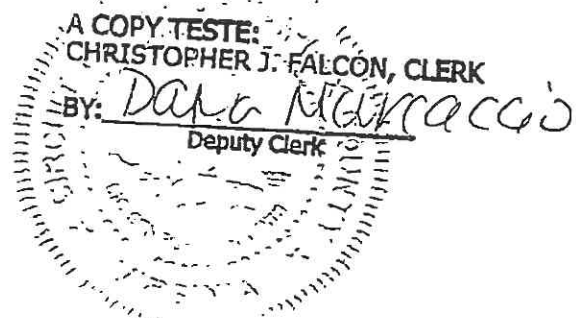
Dana Marcaccio

Dana Marcaccio, Deputy Clerk

2/26/25

DEFENDANT IDENTIFICATION:

SSN: [REDACTED]
DOB: 02/14/1992
SEX: Male



IN THE CLERKS OFFICE OF FAIRFAX COUNTY CRIMINAL COVER SHEET

COMMONWEALTH OF VIRGINIA

VS

Abdulloi Toshpulodzoda
2946 Edgelea Rd
Vienna VA 22181

AKA

CHARGE 1 STATUTE DESCRIPTION
MURDER: 1ST DEGREE

STATUTE
18.2-32 (F2a)

OTN
059GM1900079758

VCC
MUR0925F2

SEX Male DATE OF BIRTH 02/14/1992

DATE OF OFFENSE: Charge 1 12/29/2019

STATUS Jail AMOUNT

COMMONWEALTH ATTORNEY

Commonwealth Attorney

DEFENSE ATTORNEY

Public Defender

/ TYPE PD

/

CASE NUMBER : FE-2020-0000200

DATE FILED: 04/24/2020

Notes

9/25/20 (SCS) cont. 10/23/20 e 10 status Arren
10/23/20 (SCS) cont. 10/23/20 e 9:30 status Arren Arren
12/17/21 (SCS) MHE ordered; CJT continued 1/23/23 e 10 10 dec.
10/20/22 (SCS) A p NOT Guilty by Reason of Insanity; A rem
to CSB; 1/27/23 e 10 review
1/27/23 (SCS) cont. to 2/21/23 e 11:00 A to be held at Centra State
2/21/23 (SCS) Inpatient Hospitalization 2/23/24 e 10
2/23/24 (SCS) Re-committed MHOE



NO ACTION FILE
SCS
8/16/24

COMMONWEALTH of VIRGINIA

AMY SMILEY, MSW, MBA
HOSPITAL DIRECTOR

DEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
NORTHERN VIRGINIA MENTAL HEALTH INSTITUTE
3302 Gallows Road, Falls Church, Virginia 22042-3398

Telephone: (703) 207-7100
Fax: (703) 207-7160
www.nvmhi.dbhds.virginia.gov

August 8, 2024

Claiborne Richardson, Esq.
Office of the Fairfax County Commonwealth Attorney
4110 Chain Bridge Road
Fairfax, VA 22030

Dear Mr. Richardson:

Under the provisions of Virginia Code §19.2-182.4, this facility is required to notify you in writing when an individual who has been found Not Guilty by Reason of Insanity and placed in the custody of the Commissioner of the Department of Behavioral Health and Developmental Services, has been authorized to leave the grounds of the hospital in which he or she is confined. The individual noted below has been so authorized:

Acquittee: Abdulloi Toshpulodzoda
Case Number(s): EE-2020-0000200-3
Court of Jurisdiction: Fairfax County Circuit Court
Register No.: 559809
Date of Birth: 02/14/1992
Date of NGRI Finding: 10/20/2022

This individual has been approved for community visits by the Internal Forensic Privileging Committee. During community visits, the individual will:

☐ be accompanied by hospital staff.
☒ not be accompanied by hospital staff.

The length of the community visits will be:

☐ not longer than 8 hours.
☐ not longer than 16 hours.
☒ not longer than 48 hours.

If you have any questions regarding the above, please contact me at 703-645-4004, or fax 703-645-4006.

DocuSigned by:

Azure Baron

33742EE2000F413...
Azure Baron, Psy.D., CSOTP
Director of Psychology and Forensic Services

cc: Amy Jordan, Esq., Office of the Public Defender
The Honorable Stephen Shannon, Judge
Penelope Konstas, LCSW, NGRI Coordinator, Falls Church-Fairfax County Community Services Board

(DMH 944E 1251 09/14/2017)

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA	)	
	)	CRIMINAL NUMBER FE-2020-200
v.	)	
	)	INDICTMENT – MURDER
ABDULLOI TOSHPULODZODA,	)	
Defendant	)	

NOT GUILTY BY REASON OF INSANITY - RECOMMITMENT FOR INPATIENT
HOSPITALIZATION

4/24/24
c

This day came the Attorney for the Commonwealth, Kaitlin Morgan, and the Acquittee, Abdulloi Toshpulodzoda, who was present through the proceedings by video with his counsel, Amy Jordan. After consideration of the Conditional Release Plan, testimony of witnesses and arguments of counsel, the Court finds that the Acquittee is mentally ill and in need of hospitalization based on the factors in Virginia Code § 19.2-182.3.

Therefore, the Court orders that the Acquittee be recommitted to the custody of the Commissioner of the Department of Behavioral Health and Developmental Services:

The Court further orders that:

1. On June 17, 2027, a hearing shall be held to review the Acquittee's need for inpatient hospitalization unless an earlier hearing is scheduled as provided by law.
2. Prior to the hearing, the Commissioner shall provide a report to the Court evaluating the Acquittee's condition and recommending treatment, as provided in Virginia Code § 19.2-182.5, together with a copy of this order.

3. Copies of the items described in (2) shall also be sent to the Attorney for the Commonwealth and the Acquittee's Attorney.
4. The clerk shall notify the Judge of the receipt of the report so that issues regarding the Acquittee's right to counsel may be timely addressed.
5. The Acquittee remains under the jurisdiction of this Court and shall not be released from custody and inpatient hospitalization without further order of this Court.
6. This order supersedes the prior orders of this Court in this case.

ENTERED this 29th day of June, 2026

J U D G E

Criminal Motions Notes

Criminal No: FE-2020-0000200

Date: 06/11/2026

Judge: Stephen C.

Shannon

Clerk: Dana

Court Reporter: _____

Commonwealth: Commonwealth Attorney

Vs.

Defendant: Abdulloi Toshpulodzoda

☐ Bond

☐ Jail

☐ Not Present

Defense Attorney: Amy Jordan

☐ Retained

☐ Ct. Appointed

☒ Public Defender

Charge(s):

by video

Motion Type: Motion Hearing - Criminal

☐ Granted

☐ Denied

conditional Release Plan

CW Witness:

1. Penelope Konstas

2. Dr. Azure Baron

CW argues → does not approve
to CR Plan

A argues → wants CR Plan
approved

Ct determines Acquittee
will not receive treatment
if deported.

Ct commits Acquittee to inpatient
hospitalization.

remains in
custody w/DBHDS

6/17/27 @ 10
3 hrs

CRIMINAL MOTIONS

DATE: 10/17/25

COMMONWEALTH: Sands ✓

webex Video

DEFENDANT: Abduloi Toshpulodzoda

JAIL BOND NOT PRESENT

PROBATION

CASE NO:

DEFENDANT'S ATTORNEY: Amy Jordan ✓

FE-2020-0000200

RET CA PD

JUDGE/CLERK: SCS/dm

CHARGE(S):

COURT REPT:

MOTION TYPE:

NEXT COURT DATE:

GRANTED: _____ DENIED: _____

cw + A argues,

conditional
Release Plan

Rejected

10/23/25

ELO

Review

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICES

WARRANT
Sections 37.2 - 834 and 16.1-246

Facility: NVMHI
Falls Church, Virginia
3/31/15
(Date)

COMMONWEALTH OF VIRGINIA

County/City of Fairfax to wit:

To Sheriff/Police Department of the City/County of Fairfax, Virginia

WHEREAS, Toshpudodzoda, Abdulloi, Reg. No. 559805
(Name of Patient Resident)

formerly confined in the: NVMHI
(Name of the Facility & Address), Virginia

did escape from said facility on July 8th 2026 or was released on convalescent leave (Trial Visit)
and said Pass or Convalescent Leave was revoked by the Director on July 6th 2026.

These are, therefore in the name of the Commonwealth of Virginia, to command you forthwith to apprehend the
body of the said Toshpudodzoda, Abdulloi and deliver him/her into the custody of NVMHI
(Name of Patient/Resident)

at 3802. Gallow Rd, Falls Church VA

Signed: [Signature]
(Facility Director or Designee, MD)

PATIENT RESIDENT DESCRIPTION

Race: _____ Sex: M Age: 31 Height: 178 cm Weight: 99.8 kg Hair: black Eyes: black
Special physical features/identifying marks: None
Date, Time, Place last seen: 7/6/26 at 9am 3302 Gallow Rd
Patient last seen wearing: blue shirt, gray pants and gray sneakers

SPECIAL BEHAVIORS, RISK FACTORS (check if known):

Suicidal ☐, Homicidal ☐, Vulnerable ☒, Dangerous ☐, Medical Complications: _____

Assistive Devices, i.e. eye glasses, hearing aids, cane, etc.: None

Last known address: Stepping Stone apartment 3102 Southgate Dr Phone #: Personal 703 304 1788

Present location if known: Alexandria VA 22306 Phone #: _____

Does patient speak English? ☒ Yes ☐ No, Other language: _____

Warrant called in to Campus Police at: 1457 By unit staff: ESTELA CLAWSON

Warrant picked up at: 15:40 By: Roseli Acosta Warrant Number: 353

Other information: _____

ADDRESSOGRAPH

FIN: 559809-1-728 04/04/2023
TOSHPULODZODA, ABDULLOI
DOB: 02/14/1992 O/M
[Barcode]

EXHIBIT

tabbies
CW's 2