

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 30th day of August, 2019.

James R. Royal, No. 1132365,

Petitioner,

against Record No. 190453

Harold W. Clarke,

Respondent.

Upon a Petition for a Writ of Habeas Corpus

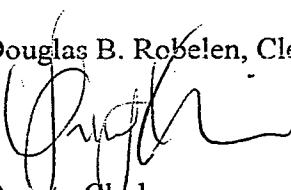
Upon consideration of the petition for a writ of habeas corpus filed April 9, 2019, the Court is of the opinion that the writ should not issue as no writ shall be granted on the basis of any allegation the facts of which the petitioner had knowledge at the time of filing any previous petition. Code § 8.01-654(B)(2). Petitioner's claim, the facts of which were known prior to petitioner's first petition for a writ of habeas corpus, filed July 25, 2005, was not previously raised and the first petition did not solely raise a claim for a belated appeal. In addition, the Court finds that the petition was not timely filed as it was not filed within one year from the April 29, 2005 final disposition of petitioner's direct appeal. *Booker v. Director*, 284 Va. 6, 6, 727 S.E.2d 650, 651 (2012); Code § 8.01-654(A)(2). It is therefore ordered that the petition be dismissed.

A Copy,

Teste:

Douglas B. Robelen, Clerk

By:


Deputy Clerk

