VIRGINIA:

IN THE COURT OF APPEALS

BRIAN DAVID HILL,

Appellant,

Record Nos. 0289-22-3 & 0290-22-3

COMMONWEALTH OF VIRGINIA,

Appellee.

MOTION TO CONSOLIDATE

The Commonwealth of Virginia, by counsel, moves the Court to consolidate two of Brian David Hill's appeals under record numbers 0289-22-3 and 0290-22-3, and in support of this motion states the following:

- 1. Both cases are appeals from the trial court's denial of Hill's motion for judgment of acquittal.
- 2. On February 10, 2021, the trial court denied Hill's first motion for lack of subject matter jurisdiction. This order is the subject matter Hill's appeal in Record Number 0290-22-3.
- 3. The following day, on February 11, Hill filed a second, nearly identical motion for judgment of acquittal. The trial court subsequently denied Hill's second

motion for lack of subject matter jurisdiction. This order is the subject matter of

Hill's appeal in Record Number 0289-22-3.

The two matters are intertwined. Consolidating the two cases will aid 4.

the decisional process and preserve judicial resources.

5. Pursuant to Rule 5A:2, undersigned counsel is mailing a copy of this

motion to Hill to inform him of the filing of this motion. As the appellant is pro se,

counsel was unable to reach him prior to filing this motion.

WHEREFORE, the appellee prays this Court consolidate Hill's two appeals

in record numbers 0289-22-3 and 0290-22-3.

Respectfully submitted,

Commonwealth of Virginia

By: /s/
Justin B. Hill

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CERTIFICATE OF SERVICE

On October 28, 2022, a copy of this motion was filed electronically with VACES and a copy mailed to Brian David Hill, appellant *pro se*, at 310 Forest Street, Apartment 2, Martinsville, Virginia 24112.

Justin B. Hill
Assistant Attorney General