



the Court finds the petition was not timely filed and dismisses the petition. The limitation period for habeas corpus petitions challenging revocation hearings is one year after the cause of action accrues. Code § 8.01-654(A)(2). Petitioner's cause of action accrued in this matter on June 16, 2009, when the circuit court entered the order under which petitioner is currently detained. Thus, petitioner had until June 16, 2010 in which to file a petition for a writ of habeas corpus.

Accordingly, the rule is discharged and the respondent shall recover from the petitioner the costs expended in his defense herein.

This order shall be published in the Virginia Reports.

Respondent's costs:

|                |         |
|----------------|---------|
| Attorney's fee | \$50.00 |
|----------------|---------|

A Copy,

Teste:

Patricia L. Harrington, Clerk