

Last amended by Order dated March 1, 2011; effective May 2, 2011.

RULES OF SUPREME COURT OF VIRGINIA
PART THREE A
CRIMINAL PRACTICE AND PROCEDURE

Rule 3A:10. Trial Together of More Than One Accused or More Than One Offense.

(a) *More Than One Accused - Joinder of Defendants.* On motion of the Commonwealth, for good cause shown, the court ~~shall, in its discretion, may~~ order persons charged with participating in contemporaneous and related acts or occurrences or in a series of acts or occurrences constituting an offense or offenses to be tried jointly unless such joint trial would constitute prejudice to a defendant.

(b) *More Than One Accused - Severance of Defendants.* If the court finds that a joint trial would constitute prejudice to a defendant, the court shall order severance as to that defendant or provide such other relief as justice requires.

(c) *An Accused Charged With More Than One Offense.* The court may direct that an accused be tried at one time for all offenses then pending against him, if justice does not require separate trials and (i) the offenses meet the requirements of Rule 3A:6 (b) or (ii) the accused and the Commonwealth's attorney consent thereto.