

TWENTY-FOURTH JUDICIAL CIRCUIT OF VIRGINIA

J. S. JOHNSTON, JUDGE
CAMPBELL COUNTY CIRCUIT COURT
P.O. BOX 96
RUSTBURG, VIRGINIA 24588
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COMMONWEALTH OF VIRGINIA
CITIES OF LYNCHBURG AND BEDFORD
COUNTIES OF AMHERST, BEDFORD, CAMPBELL AND NELSON

December 17, 2008

Honorable Leroy Rountree Hassell, Sr.
Chief Justice
Supreme Court of Virginia
P. O. Box 1315
Richmond, VA 23219-1315

RE: Larry Dale Saunders v Joe Dan Johnson, et. al.

Dear Chief Justice Hassell:

I write to inform you of an election contest/law suit now pending in the Circuit Court of Nelson County. As you know the statute requires an appointment of a three- judge panel to conduct the proceeding. Further the statute states that the Chief Judge shall certify to you if there is a recusal or he or she is absent or otherwise unable to sit, and I am so informing you of my inability to sit.

Without being presumptuous, I have spoken with Judge James W. Updike of Bedford County, who will become Chief Judge of this circuit January 1, 2008, and he has graciously consented to replace me should you deem proper.

I trust I have made myself clear in the above paragraph, but if you have any questions, please write or call at your earliest convenience.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. S. Johnston".

J. S. Johnston, Judge

JSJ:cil

cc: Honorable James W. Updike, Judge
Honorable Judy S. Smythers, Clerk
Daniel L. Rutherford
John P. Fishwick, Jr.
David McBee
John W. Ponton
Mary Kathryn D. Allen