



Augusta County Sheriff's Office

Donald L. Smith, Sheriff

127 Lee Highway
P.O. Box 860
Verona, Virginia 24482

Phone (540)245-5333
Fax (540)245-5330
Website: www.co.augusta.va.us

November 4, 2025

Gerald Garber
Chair, Augusta County Board of Supervisors
135 Cave View Lane
Weyers Cave, Virginia 24486

Re: Request for Reimbursement of Legal Fees and Expenses for William Mikolay

Dear Chairman Garber and Members of the Augusta County Board of Supervisors,

I am writing to submit a formal request for the reimbursement of legal fees and expenses I incurred defending against criminal charges that arose out of an incident in my capacity as a Patrol Sergeant with the Augusta County Sheriff's Office.

I was charged by the Albemarle County Commonwealth's Attorney with Malicious Wounding (Va. Code § 18.2-51). To represent me against this serious charge, I retained the law firm of Parcell Webb and Baruch in Richmond, Virginia. The charge was dismissed.

Please accept this letter as my official request for the reimbursement of all legal fees and associated costs I incurred in the defense of this matter, pursuant to Virginia Code § 15.2-1607.

I have compiled the necessary documentation, including the itemized invoice detailing the legal fees and costs paid to Parcell Webb and Baruch and reflecting the dismissal of the charge. The documents were provided to the County Attorney.

Thank you for your prompt consideration of this matter and your service to the citizens of Augusta County.

Respectfully,

A handwritten signature in black ink, appearing to read "William A. Mikolay", written over a horizontal line.

William A. Mikolay
Sergeant Augusta County Sheriff's Office

[Name List](#)
[Pleadings/Orders](#)
[Services](#)
[Main Menu](#)
[Logoff](#)

Albemarle County Circuit - Criminal Division

Case Details

Case Number: CR24000058-00	Filed: 03/01/2024	Commenced by: Indictment	Locality: COMMONWEALTH OF VA
Defendant: MIKOLAY, WILLIAM ANTHONY	Sex: Male	Race: White	DOB: 05/14/****
Address: WAYNESBORO, VA 22980			
Charge: MALICIOUS WOUNDING	Code Section: 18.2-51	Charge Type: Felony	Class: 3
Offense Date: 09/29/2023	Arrest Date: 09/29/2023	OTN: 003GM2300007516	

Hearings

#	Date	Time	Type	Room	Plea	Duration	Jury	Result
1	04/01/2024	9:30AM	Grand Jury					True Bill -- Case Has Been Set
2	11/19/2024	3:15PM	Motion - Other Pre-Trial					Tried
3	11/25/2024	9:15AM	Jury Trial				No	Continued
4	12/02/2024	9:30AM	Term					Set For Trial
5	01/29/2025	10:45AM	Motion - Other Pre-Trial					Tried
6	02/06/2025	11:00AM	Motion - Other Pre-Trial					Dismissed

Final Disposition

Disposition Code: Dismissed	Disposition Date: 02/06/2025	Concluded By: Dismissal
Amended Charge:	Amended Code Section:	Amended Charge Type:

Jail/Penitentiary:	Concurrent/Consecutive:	Life/Death:
Sentence Time:	Sentence Suspended:	Operator License Suspension Time:
Fine Amount:	Costs:	Fines/Cost Paid:
Program Type:	Probation Type:	Probation Time:

Probation Starts:	Court/DMV Surrender:	Driver Improvement Clinic:
Driving Restrictions:	Restriction Effective Date:	
VA Alcohol Safety Action:	Restitution Paid:	Restitution Amount:
Military:	Traffic Fatality:	

Appealed Date:

[Name List](#)[Pleadings/Orders](#)[Services](#)[Main Menu](#)[Logoff](#)

Build #: 3.9.1.42



PARCELL WEBB & BARUCH, P.C.
ATTORNEYS AT LAW

Address: 6802 Paragon Place, Suite 602
Richmond, Virginia 23230

Phone: (804) 358-8000
Fax: (804) 358-6416

Bill To: Mikolay, William A.

Date: 12/18/23
Matter: Criminal:Felony
PM No:
QB No: EP230678

Fax

Date	Attorney	Description	Hours	Rate	Amount	Balance
12/18/23	EKN/PBB	Fee for Representation of William A. Mikolay Albemarle Circuit Court CR24000058-00 - Malicious wounding			\$ 25,000.00	\$ 25,000.00
12/18/23	EKN/PBB	Albemarle Circuit Court CR24000059-00 - Assault &battery			\$5,000.00	\$ 30,000.00
12/18/23	EKN/PBB	Cashier's check #0001258071			\$30,000.00	\$0.00
Balance Due						\$0.00

For your convenience, we accept Visa and MasterCard.



Augusta County Sheriff's Office

Donald L. Smith, Sheriff

127 Lee Highway
P.O. Box 860
Verona, Virginia 24482

Phone (540)245-5333
Fax (540)245-5330
Website: www.co.augusta.va.us

August 8, 2025

To: Augusta County Attorney Nicole Price

From: Sheriff Donald L. Smith

A handwritten signature in blue ink that reads "Donald L. Smith, Sheriff". The signature is written over the printed name "Sheriff Donald L. Smith".

Reference: Request for Legal Fees and Expenses

I am writing pursuant to Virginia Code § 15.2-1711 to formally request that Augusta County pay the legal fees and expenses incurred by two Augusta County Sheriff's Deputies arising from charges brought against them in connection with actions taken while discharging their official duties.

As required by statute, such payment must be requested from the local governing body. If the County elects to reimburse these legal fees and expenses, I will then initiate the process of seeking reimbursement from the Commonwealth of Virginia. Please note that under the statute, Augusta County is eligible to be reimbursed for two-thirds of the total amount paid, subject to approval by the Commonwealth.

I will be happy to provide the relevant documentation and invoices associated with the legal representation upon request, or coordinate with the County's Treasury as needed.

Thank you for your attention to this matter. Please let me know if you require any additional information to proceed.



Wharton Aldhizer & Weaver PLC
ATTORNEYS & COUNSELLORS AT LAW

Humes J. Franklin, III
Partner

Direct (540) 213-7442
hfrankli@wawlaw.com

November 3, 2025

Via U.S. Mail

Gerald Garber
Chair, Augusta County Board of Supervisors
135 Cave View Lane
Weyers Cave, Virginia 24486

Re: Request for Reimbursement of Legal Fees and Expenses for CJ Taylor

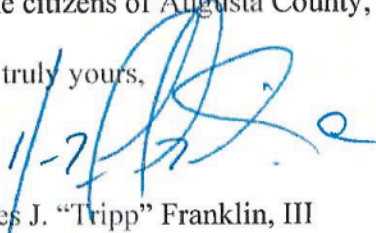
Dear Chairman Garber and Members of the Augusta County Board of Supervisors:

This firm represents former Augusta County Sheriff Deputy CJ Taylor ("Mr. Taylor"). Mr. Taylor was charged with two counts of violating Va. Code § 18.2-57 as a result of an incident arising out of his employment working as an Augusta County Sheriff's Deputy working with the drug task force on August 31, 2022. Mr. Taylor hired my firm to defend these charges. These charges were ultimately dismissed.

I have provided Augusta County Attorney, Nicole Price, with documentation of the legal fees and costs Mr. Taylor incurred defending these charges. I have also provided her with a copy of the dismissal order. Please accept this letter as Mr. Taylor's formal request for reimbursement of these fees and costs pursuant to Virginia Code § 15.2-1607. Please let me know if you have any questions or if there is any additional information you might require when considering this request.

Thanking you for your service to the citizens of Augusta County, I remain,

Very truly yours,


Humes J. "Tripp" Franklin, III

HJF/cjw
4914-5457-6756

cc: Nicole Price, County Attorney (via email)
Timothy Fitzgerald, County Administrator (via email)
CJ Taylor (via email)

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF STAUNTON

COMMONWEALTH OF VIRGINIA

v.

Case Nos: CR24000054-01; 02

CHARLES ALLEN TAYLOR, JR.

a/k/a/ C. J. TAYLOR,

Defendant.

ORDER DISMISSING CHARGES WITH PREJUDICE

Pursuant to the Adjudication & Deferred Sentencing Order of this Court entered by Judge Wilson on November 1, 2024, for the hearing held on October 10, 2024, the defendant pleaded not guilty to the two assault and battery charges upon which the defendant was arraigned, but stipulated that there is sufficient evidence for a conviction, which plea was tendered by the defendant in person.

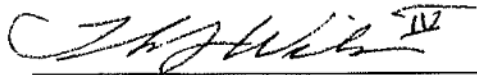
Having made inquiry and being of the opinion that the defendant's plea pursuant to a written memorandum of plea agreement presented to the Court was made voluntarily with an understanding of the nature of the charges and the consequences of the plea, and of the waiver of trial by jury and of appeal, the Court accepted the memorandum of plea agreement and proceeded to hear and determine the cases without a jury as provided by law, and having heard the evidence and argument of counsel, found evidence sufficient to convict the defendant of both charges, but withheld adjudication, and took these cases under advisement, pursuant to Virginia Code Section 19.2-298-02, for a period of 12 months. The defendant was ordered to pay all costs associated with these two assault and battery cases and to be of good behavior for a period of 12 months.

The defendant has complied with the conditions of this deferral and both parties agree that these cases will be dismissed for purposes of expungement under Virginia Code Section 19.2-298.02(D).

Therefore, on this day came the parties, through undersigned counsel, and represented that these matters are ripe for dismissal. It is therefore ORDERED that the two charges against Charles Allen Taylor, Jr. also known as C.J. Taylor, are DISMISSED with PREJUDICE.

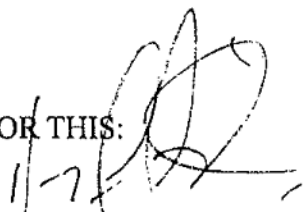
The clerk is directed to send an attested copy of this order to all counsel of record.

ENTERED this 25TH day of October, 2025.



Judge

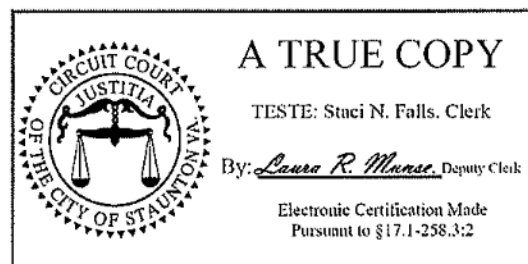
WE ASK FOR THIS:


Humes J. Franklin, III (VSB No. 46863)
Wharton Aldhizer & Weaver, PLC
The American Hotel
125 South Augusta Street, Suite 2000
Staunton, Virginia 24401
540-213-7442
540-213-0390 – fax
hfranklin@wawlaw.com



John McNeil (VSB No. 41763)
Assistant Commonwealth's Attorney
Roanoke Commonwealth's Attorney's Office
315 Church Avenue SW #C
Roanoke, VA 24016
540-853-5419
John.mcneil@roanokeva.gov

4912-9197-7840



Wharton Aldhizer & Weaver

Statement Detail

	Units	Ext. Amt.
Statement Number: 185670	2.50	998.00
Statement Number: 186000	0.80	320.00
Statement Number: 186644	1.20	480.00
Statement Number: 186968	0.10	40.00
Statement Number: 187285	0.30	120.00
Statement Number: 187670	1.10	440.00
Statement Number: 188085	0.30	120.00
Statement Number: 188903	0.10	40.00
Statement Number: 189372	0.10	40.00
Statement Number: 189847	0.80	320.00
Statement Number: 190145	1.60	640.00

Wharton Aldhizer & Weaver

Statement Detail

	Units	Ext. Amt.
Statement Number: 191543	8.30	2,563.96
Statement Number: 191743	27.60	9,431.00
Statement Number: 192119	2.00	517.50
Statement Number: 192607	0.40	160.00
Statement Number: 193048	0.30	120.00
Statement Number: 193300	1.90	760.00
Statement Number: 193777	0.10	40.00
Statement Number: 194274	0.10	40.00
Statement Number: 194576	1.10	228.00
Statement Number: 194929	7.60	2,801.50
Statement Number: 195223	0.50	200.00

Wharton Aldhizer & Weaver

Statement Detail

	Units	Ext. Amt.
Statement Number: 196159		
	0.40	160.00
Statement Number: 198903		
	0.30	120.00
Grand Total:	59.50	\$20,699.96



HALL BOOTH SMITH, P.C.

191 Peachtree St, NE
Suite 2900
Atlanta, GA 30303-1775
P:404-954-5000 F:404-954-5020
Federal ID: 58-1852659

Charles C. Taylor
Wharton Aldhizer & Weaver PLC
125 South Augusta St.
Suite 2000
Staunton, VA 24401

July 26, 2024
Client: 017926
Matter: 000001
Invoice #: 91795849

RE: Commonwealth of Virginia v. Charles C.J. Taylor

For Professional Services Rendered Through June 30, 2024

Total Services	\$0.00
Total Disbursements	\$571.21
Total Due This Invoice:	\$571.21

Prior Unpaid Invoices for this Matter

Date	Invoice No.	Amount Due
03/11/24	91770237	\$7,887.50
	Total	\$7,887.50
	Grand Total Due:	\$8,458.71

THIS INVOICE IS PAYABLE UPON RECEIPT

PLEASE RETURN THIS PAGE WITH YOUR REMITTANCE

If you have already mailed in your payment, please disregard this notice. Thank you!

H | B | S HALL BOOTH SMITH, P.C.
 191 Peachtree St, NE
 Suite 2900
 Atlanta, GA 30303-1775
 P:404-954-5000 F:404-954-5020
 Federal ID: 58-1852659

Charles C. Taylor
 Wharton Aldhizer & Weaver PLC
 125 South Augusta St.
 Suite 2000
 Staunton, VA 24401

July 26, 2024
 Client: 017926
 Matter: 000001
 Invoice #: 91795849

RE: Commonwealth of Virginia v. Charles C.J. Taylor

For Professional Services Rendered Through June 30, 2024

DISBURSEMENTS

03/04/2024	SM	Mileage - - VENDOR: Scott MacLatchie mileage for trial	\$383.24
03/23/2024		Vendor: American Express; Invoice#: MACLATCHIE.0324AMEX; Date: 3/23/2024, Maria's Pizza & Ital, Staunton, VA - Dinner	\$22.40
03/23/2024		Vendor: American Express; Invoice#: MACLATCHIE.0324AMEX; Date: 3/23/2024, Hotel 24 South, Staunton VA - Lodging	\$165.57
Sub-Total Disbursements:			\$571.21

Total Services:		\$	0.00
Total Disbursements:		\$	\$571.21
Outstanding Prior Balance			
Invoice No.	91770237	03/11/24	\$ 7,887.50
TOTAL AMOUNT DUE:		\$	<u>8,458.71</u>



Augusta County Sheriff's Office

Donald L. Smith, Sheriff

127 Lee Highway
P.O. Box 860
Verona, Virginia 24482

Phone (540)245-5333
Fax (540)245-5330
Website: www.co.augusta.va.us

August 8, 2025

To: Augusta County Attorney Nicole Price

From: Sheriff Donald L. Smith

Donald L. Smith, Sheriff

Reference: Request for Legal Fees and Expenses

I am writing pursuant to Virginia Code § 15.2-1711 to formally request that Augusta County pay the legal fees and expenses incurred by two Augusta County Sheriff's Deputies arising from charges brought against them in connection with actions taken while discharging their official duties.

As required by statute, such payment must be requested from the local governing body. If the County elects to reimburse these legal fees and expenses, I will then initiate the process of seeking reimbursement from the Commonwealth of Virginia. Please note that under the statute, Augusta County is eligible to be reimbursed for two-thirds of the total amount paid, subject to approval by the Commonwealth.

I will be happy to provide the relevant documentation and invoices associated with the legal representation upon request, or coordinate with the County's Treasury as needed.

Thank you for your attention to this matter. Please let me know if you require any additional information to proceed.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF STAUNTON

COMMONWEALTH OF VIRGINIA

V.

CHARLES ALLEN TAYLOR, JR

PLEA AGREEMENT

Case No. CR24-54-01, CR24-54-02

MEMORANDUM OF PLEA AGREEMENT

This document memorializes a plea agreement in a misdemeanor case. The Commonwealth and Defendant have agreed as follows:

- 1) **CR24-54-01 – Assault and Battery (misdemeanor)** - Defendant will enter a plea of not guilty to this charge, but will stipulate that there is sufficient evidence for a conviction.
- 2) **CR24-54-02 – Assault and Battery (misdemeanor)** - Defendant will enter a plea of not guilty to this charge, but will stipulate that there is sufficient evidence for a conviction.

Disposition in both cases will be deferred for a period of twelve (12) months, however, pursuant to Virginia Code §19.2-298.02. During that twelve (12) month period, Defendant must:

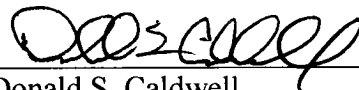
- 1) Keep the peace, be of good behavior and obey the law; and
- 2) Pay the court costs associated with this prosecution.

3) A review hearing will be scheduled for a date on the Court's docket in twelve (12) months. If the Defendant has otherwise complied with the above listed conditions, the charge against him shall be dismissed by further order of the Court without the need of any parties being present. Both parties agree that this will be dismissed for purposes of expungement under Virginia Code §19.2-298.02(D).

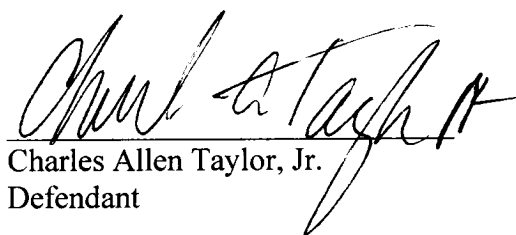
This document represents the entire agreement of the parties.

Date: October 10, 2024

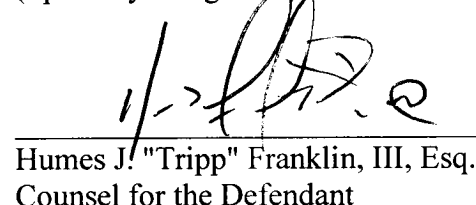
Respectfully submitted,



Donald S. Caldwell
Commonwealth's Attorney
(Specially designated)



Charles Allen Taylor, Jr.
Defendant



Humes J. "Tripp" Franklin, III, Esq.
Counsel for the Defendant

Accepted 10/10/24
Judge

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF ALBEMARLE
COMMONWEALTH OF VIRGINIA

v.
WILLIAM MIKOLAY

CR24000058-00, CR24000059-00

PLEA AGREEMENT

THIS DAY CAME the Parties in interest and represented to the Court that they have entered into the following Plea Agreement in accord with Rule 3A:8(c)(1)(C).

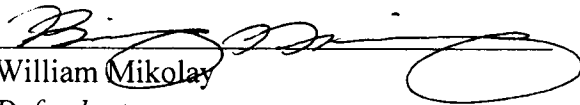
1. Mr. Mikolay stands indicted in this Court with:

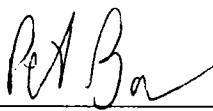
One count Malicious Wounding of A.M. in violation of Va. Code 18.2-51 and one count of Assault and Battery of T.L. in violation of Va. Code 18.2-57.

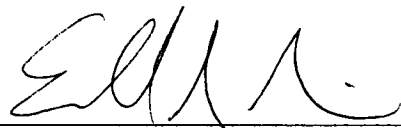
2. The Defendant stipulates there are facts sufficient to find him guilty of the assault and battery.
3. The Commonwealth will make a motion to dismiss the malicious wounding.
4. The Court will take its finding under advisement pursuant to Va. Code 19.2-298.02 for a period of 12 months.
5. The Defendant will comply with the following terms and conditions while the assault and battery is under advisement:
 - a. No contact with the victims whose initials are A.M. and T.L.,
 - b. Good behavior,
 - c. The felony malicious wounding is not eligible for expungement during the term of advisement,
 - d. Payment of the costs of this proceeding within the 12 month period of advisement.
6. If the Defendant complies fully with the above conditions for 12 months, the misdemeanor assault and battery will be dismissed. Once dismissed, the assault and battery charge will not be eligible for expungement and it will remain on the Defendant's record that he was charged with assault and battery.
7. If the Defendant violates the above conditions, the Court will find him guilty of the assault and battery and proceed to sentencing. There is no agreement as to sentence.
8. Pursuant to 19.2-298.02 the defendant waives his right to appeal any conviction of assault and battery that would result from a violation of the terms and conditions of this plea agreement.

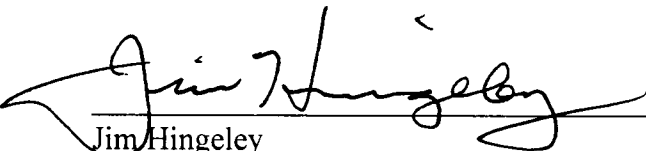
9. This Plea Agreement is the total agreement between the parties. There have been no other inducements, promises, or coercion of any kind neither imposed upon Mr. Mikolay nor suggested to him by the Attorney for the Commonwealth or any agent of the Commonwealth.
10. In accordance with Virginia Code §19.2-11.01, the victims have been informed of and consulted regarding the contents of this plea agreement.
11. In this case, a previous plea agreement has not been submitted to a Judge of this Court.

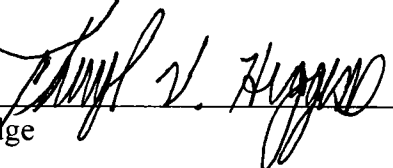
WE ASK FOR THIS:


William Mikolay
Defendant


Peter Baruch
Counsel for the Defendant


Edward Nickel
Counsel for the Defendant


Jim Hingeley
Counsel for the Commonwealth

ACCEPTED ☒ REJECTED ☐

Judge

2.6.25
Date

§ 19.2-298.02. Deferred disposition in a criminal case

A. A trial court presiding in a criminal case may, with the agreement of the defendant and the Commonwealth, after any plea or trial, with or without a determination, finding, or pronouncement of guilt, and notwithstanding the entry of a conviction order, upon consideration of the facts and circumstances of the case, including (i) mitigating factors relating to the defendant or the offense, (ii) the request of the victim, or (iii) any other appropriate factors, defer proceedings, defer entry of a conviction order, if none, or defer entry of a final order, and continue the case for final disposition, on such reasonable terms and conditions as may be agreed upon by the parties and placed on the record, or if there is no agreement, as may be imposed by the court. Final disposition may include (a) conviction of the original charge, (b) conviction of an alternative charge, or (c) dismissal of the proceedings.

B. Upon violation of a term or condition, the court may enter an adjudication of guilt, if not already entered, and make any final disposition of the case provided by subsection A. Upon fulfillment of the terms and conditions, the court shall adjudicate the matter consistent with the agreement of the parties or, if none, by conviction of an alternative charge or dismissal of the case.

C. By consenting to and receiving a deferral of proceedings or a deferral of entry of a final order of guilt and fulfilling the conditions as specified by the court as provided by subsection A, the defendant waives his right to appeal such entry of a final order of guilt.

Prior to granting a deferral of proceedings, a deferral of entry of a conviction order, if none, or a deferral of a final order, the court shall notify the defendant that he would be waiving his rights to appeal any final order of guilt if such deferral is granted.

D. Upon agreement of all parties, a charge that is dismissed pursuant to this section, including an original charge that was reduced or a charge that is dismissed after a plea or stipulation of the facts that would justify a finding of guilt, may be considered as otherwise dismissed for purposes of expungement of police and court records in accordance with § 19.2-392.2, and such agreement of all parties and expungement eligibility may be indicated in the final disposition order.

2020, Sp. Sess. I, cc. 20, 21;2024, c. 755.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.