

COMMONWEALTH of VIRGINIA



OFFICE OF THE COMMONWEALTH'S ATTORNEY CITY OF PORTSMOUTH



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MEDIA RELEASE

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Portsmouth, VA

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CURTIS MITCHELL DENIED POST CONVICTION BOND

After a three-day jury trial commencing on February 2, 2022, Defendant, Curtis Mitchell was convicted of Voluntary Manslaughter and sentenced by the Court on June 3, 2022, to a ten (10) years in a Virginia Correctional Facility with three (3) years suspended. The active term of incarceration is seven (7) years, followed by three (3) years of supervised probation upon release.

On September 4, 2022, police were dispatched to a gunshot wound at 2505 Oakleaf Place, in the city of Portsmouth. Upon arriving on scene, the police made contact with the Defendant, Curtis Mitchell, who said to police that he had just shot someone, thereafter, directing police to where the firearm was located. Police located Phillip Goston with apparent gunshot wounds to the chest. The Defendant told police that he shot Goston after a confrontation that resulted from Goston removing tires from the vehicle, of a third party. On June 14, 2022, the Defendant noted his intention to appeal the final judgement of the Circuit Court and on June 29, 2022, moved the Court for an appeal bond, pending the Defendant's appeal to the Virginia Court of Appeals.

Va. Code Ann. § 19.2-319 provides:

“In any case after conviction if the sentence, or the execution thereof, is suspended in accordance with this section, or for any other cause, the court, or the judge thereof, may, and in any case of a misdemeanor shall, set bail in such penalty and for appearance at such time as the nature of the case may require; provided that, if the conviction was for a violent felony as defined in § 19.2-297.1 and the defendant was sentenced to serve a period of incarceration not subject to suspension, then the court shall presume, subject to rebuttal, that no condition or combination of conditions of bail will reasonably assure the appearance of the convicted person or the safety of the public.”

On July 1, 2022, the Commonwealth argued against the Defendant being released during the pendency of his appeal citing that the Defendant is a danger to the community, has shown he has difficulty controlling his impulses, and would be a flight risk. The motion for bond was ultimately denied.

The motion was argued by Senior Assistant Commonwealth's Attorney Lynnette O. Hill.

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