

Thomas M. Kelly
State's Attorney



255 North Main Street, Suite 9
Barre, VT 05641
Phone: (802) 479-4220
Fax: (802) 479-4408

**STATE OF VERMONT
OFFICE OF THE WASHINGTON COUNTY STATE'S ATTORNEY**

December 5, 2011

Joby Feccia
Waterbury Police Department
51 South Main Street
Waterbury, VT 05676

Re: State v. Jason Parkhurst,
Incident No.: 11WB01401

Dear Joby:

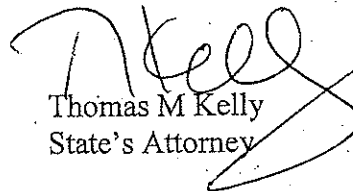
I am returning this case after deciding not to prosecute.

As we discussed, upon reflection and after consultation with ethics counsel, I have decided not to file new cases prepared by Office Adam Hubacz, in light of information gleaned during a pre-polygraph interview of Officer Hubacz. After you shared the polygrapher's report with me I consulted with ethics counsel and decided I would be required to reveal some of the report's contents to litigants in criminal cases prepared by Officer Hubacz. The report raises concerns from which I conclude I cannot prosecute new cases prepared by Officer Hubacz.

If you have any questions, let me know.

Thanks.

Sincerely,


Thomas M Kelly
State's Attorney