

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

V.

JAMIE TURNER

FILED

2009 FEB 17 A 11: 33

CASE NO. 06-F-291

(Alfred E. Ferguson, Judge)

ORDER

On the 3rd day of February 2009 came above named defendant, by counsel, Kerry A. Nessel, and the State by its Special Prosecutor, Philip W. Morrison, II, for re-sentencing upon his conviction in the above matter.

Whereupon, the Court, after mature consideration, sentenced the defendant as follows:

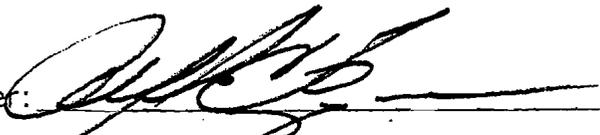
1. With Respect to Count Four (4) of said Indictment it is the ORDER of this Court that the Defendant be remanded to the custody of the West Virginia Regional Jail Authority, there to be confined for a period of Six (6) Months upon his conviction for the Misdemeanor Offense of Fleeing, and
2. With Respect to Count One (1) of said Indictment it is the ORDER of this Court that the Defendant be remanded to the custody of the Commissioner of Corrections for assignment to a penitentiary of this State, there to be confined for a period of Sixty (60) Years upon his conviction for the Felony Offense of First Degree Robbery with a specific finding, by the jury, that the defendant presented and used a firearm in the commission of the robbery, said sentence to be run consecutive to the six month sentence levied on count four (4) above, and
3. With Respect to Count Two (2) of said Indictment it is the ORDER of this Court that the Defendant be remanded to the custody of the Commissioner of Corrections for assignment to a penitentiary of this State, there to be confined for a period of Sixty (60) Years upon his conviction for the Felony Offense of First Degree Robbery with a specific finding, by the jury, that the defendant presented and used a firearm in the commission of the robbery, said sentence to be run concurrent with the sixty year sentence levied on count one (1) above, and

4. With Respect to Count Three (3) of said Indictment it is the ORDER of this Court that the Defendant be remanded to the custody of the Commissioner of Corrections for assignment to a penitentiary of this State, there to be confined for a period of Sixty (60) Years upon his conviction for the Felony Offense of First Degree Robbery with a specific finding, by the jury, that the defendant presented and used a firearm in the commission of the robbery, the finding of a firearm, said sentence to be run concurrent with the sixty year sentence levied on count Two (2) above.

The Court further ORDERS that the defendant was entitled and received 349 days credit for time served awaiting conviction and sentence as of October 9th 2007 and is also entitled to all time served since said date.

The Court also ORDERS the Circuit Clerk of Cabell County forward copies of this order to counsel of record, Mr. Nessel and Mr. Morrison for review, and objection if any, on or before the 20th day of February 2009.

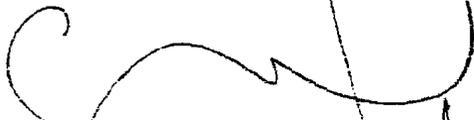
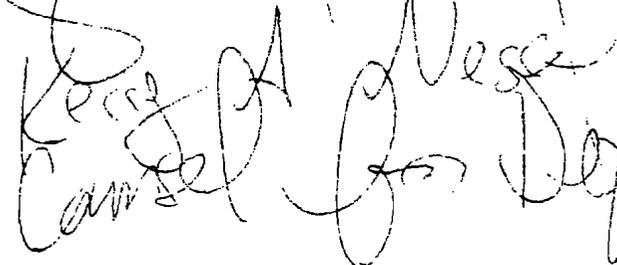
Enter:


Alfred E. Ferguson, Judge

Presented by:



Philip W. Morrison, II
Special Prosecutor



Counsel for Defendant

ENTERED Circuit Court Criminal Order Book
No. 247 Page 473 this ___ day of

STATE OF WEST VIRGINIA
COUNTY OF CABELL
CLERK OF THE CIRCUIT COURT
2-17-09