

35465

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA: 18

2009 MAY 21 11:11 AM
KANAWHA COUNTY COURT

STATE OF WEST VIRGINIA

V.

CRIMINAL NO. 08-F-461

SANDY MARTIN COOK

ORDER

The defendant, SANDY MARTIN COOK, who stands convicted of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count One of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Two of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third Degree as contained in Count Three of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Four of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third Degree as contained in Count Five of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Six of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third Degree as contained in Count Nine of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Ten of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third

Degree as contained in Count Eleven of Felony Indictment Number 08-F-461, and of the felony offense Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Twelve of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third Degree as contained in Count Fifteen of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Sixteen of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Assault in the Third Degree as contained in Count Seventeen of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Eighteen of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Twenty of Felony Indictment Number 08-F-461, and of the felony offense of Sexual Abuse by a Parent, Guardian or Custodian as contained in Count Twenty-Two of Felony Indictment Number 08-F-461, by a jury verdict returned on the 27th day of February, 2009, appeared in Court, in person and together with his counsel, James Cagle, and also came the State of West Virginia by K. Michele Drummond and Donald P. Morris, Assistant Prosecuting Attorneys in and for Kanawha County.

THEREUPON, it was demanded of the said SANDY MARTIN COOK if anything he had or knew to say why the Court should not now proceed to pronounce the sentence of the law against him, and no valid reason being offered or alleged in delay of judgment, it is considered by the Court as follows:

08-F-461 COUNT ONE: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than

five (5) years nor more than fifteen (15) years, with credit for time spent in jail while awaiting trial and conviction, which credit for time so spent is seventy-eight (78) days as of May 14, 2009.

08-F-461 COUNT TWO: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run concurrent with the sentence imposed this date in 08-F-461 Count One.

08-F-461 COUNT THREE: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One and Count Two.

08-F-461 COUNT FOUR: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (5) years nor more than fifteen (15) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two and Count Three.

08-F-461 COUNT FIVE: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three and Count Four.

08-F-461 COUNT SIX: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5)

years nor more than fifteen (15) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four and Count Five.

08-F-461 COUNT NINE: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five and Count Six.

08-F-461 COUNT TEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run consecutive to the sentence imposed this day in 08-F-461 Count One, and concurrent with the sentences imposed this date in 08-F-461 Count Two, Count Three, Count Four, Count Five, Count Six and Count Nine.

08-F-461 COUNT ELEVEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine and Count Ten.

08-F-461 COUNT TWELVE: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three,

Count Four, Count Five, Count Six, Count Nine, Count Ten and Count Eleven.

08-F-461 COUNT FIFTEEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Ten, Count Eleven and Count Twelve.

08-F-461 COUNT SIXTEEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run consecutive to the sentences imposed this date in 08-F-461 Count One and Count Ten, and concurrent with the sentences imposed this date in 08-F-461 Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Eleven, Count Twelve and Count Fifteen.

08-F-461 COUNT SEVENTEEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (1) year nor more than five (5) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Ten, Count Eleven, Count Twelve, Count Fifteen and Count Sixteen.

08-F-461 COUNT EIGHTEEN: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run concurrent with

the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Ten, Count Eleven, Count Twelve, Count Fifteen, Count Sixteen and Count Seventeen.

08-F-461 COUNT TWENTY: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run consecutive to the sentences imposed this date in 08-F-461 Count One, Count Ten and Count Sixteen, and concurrent with the sentences imposed this date in 08-F-461 Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Eleven, Count Twelve, Count Fifteen, Count Seventeen and Count Eighteen.

08-F-461 COUNT TWENTY-TWO: That the defendant, SANDY MARTIN COOK, be confined in the penitentiary of this State for an indeterminate term of not less than five (5) years nor more than fifteen (15) years, said sentence to run concurrent with the sentences imposed this date in 08-F-461 Count One, Count Two, Count Three, Count Four, Count Five, Count Six, Count Nine, Count Ten, Count Eleven, Count Twelve, Count Fifteen, Count Sixteen, Count Seventeen, Count Eighteen and Count Twenty.

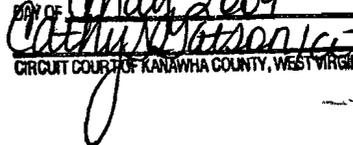
Additionally, upon his release, the Court ORDERS that the defendant, SANDY MARTIN COOK, serve a period of supervised release for a term of five (5) years.

It is further ORDERED that the proper officer do, as soon as practicable, remove and safely convey the said SANDY MARTIN COOK to the penitentiary of this State, to be kept and imprisoned and maintained in the manner prescribed according to law.

WHEREUPON, the prisoner was remanded to the custody of the Department of Corrections for execution of sentence.

ENTERED this 21ST day of May, 2009.


IRENE C. BERGER, CIRCUIT JUDGE
Thirteenth Judicial Circuit

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 23
DAY OF May 2009

CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA