

122
13-1122

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,
Plaintiff,

vs.

INDICTMENT NO. 09-F-23
Judge Alfred E. Ferguson

J.E. HOOD
CIRCUIT CLERK
CABELL CO. WV

2013 OCT 15 P 2:46

FILED

ROBERT FRAZIER,
Defendant.

SENTENCING ORDER

On this the 2nd day of October, 2013, came the defendant in person and by counsel, Jason Goad, and also came the State of West Virginia by Jara L. Howard, Assistant Prosecuting Attorney, Cabell County, West Virginia, for sentencing pursuant to the defendant having been found guilty to the felony offense of "MURDER" as contained in Count I of Indictment No. 09-F-23. Upon addressing counsel for the defendant, the Court determined that the defendant and his counsel have had the opportunity to participate in the presentence investigation and have read and discussed the report thereof made available to them pursuant to Rule 32(b) of the West Virginia Rules of Criminal Procedure. Further, the Court determined that there are no unresolved objections to said presentence report.

The Court then afforded counsel for the defendant the opportunity to speak on behalf of the defendant and addressed the defendant personally and asked him if he wished to make a statement in his own behalf and/or to present any information in mitigation of punishment.

Thereafter, the Court then demanded of the said Robert Frazier if he had or knew anything to say why the Court should not proceed to pronounce the sentence of the law against him, and nothing being offered or alleged in delay of judgment, it is ORDERED that the defendant be committed to the

custody of the Division of Corrections for a period of forty (40) years, with credit for time served, on Count I of Indictment No. 09-F-23.

In addition, the defendant is hereby assessed in the amount of Seventy-five Dollars (\$75.00) on Count I of Indictment No. 09-F-23, to be paid to the Clerk of the Circuit Court pursuant to 62-5-10 of the West Virginia Code for the Crime Victim's Compensation Fund.

It is further the ORDER of this Court that Counts, II of Indictment No. 09-F-23 be hereby DISMISSED as part of the agreement in this matter.

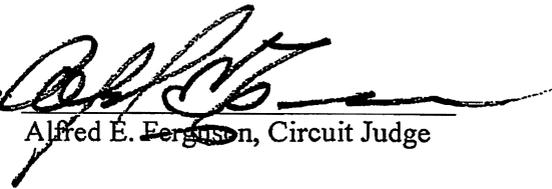
It appearing to the Court that the bond previously posted in this matter is no longer required, it is hereby ORDERED that the Clerk of the Circuit Court deduct from said bond any court ordered fines and court costs and return the remainder of said cash bond to the surety. In the event that a property bond was posted in this matter, upon discharge and release of said bond, the clerk of this court shall provide a certified copy of said release to the county clerk of Cabell County for filing therein.

The Clerk of this Court is hereby directed to provide a certified copy of this order to all counsel of record and to the Cabell County Probation Department.

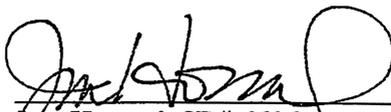
There being nothing further to be done in this matter, it is hereby removed from the active docket of the Court.

ENTER

ORDER


Alfred E. Ferguson, Circuit Judge

PREPARED FOR ENTRY:


Lara Howard, SB# 6606
Assistant Prosecuting Attorney
Cabell County Courthouse
750 5th Avenue, Suite 350
Huntington, WV 25701
(304) 526-8653

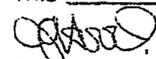
ENTERED Circuit Court Criminal Order Book

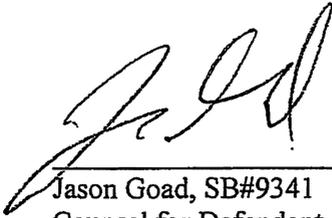
No. _____ Page _____ this _____ day of _____

STATE OF WEST VIRGINIA
COUNTY OF CABELL

I, JEFFREY E. HOOD, CLERK OF THE CIRCUIT COURT FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY FROM THE RECORDS OF SAID COURT ENTERED ON OCT 15 2013

GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS OCT 15 2013


JEFFREY E. HOOD, CLERK
CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

A handwritten signature in black ink, appearing to read 'J. Goad', is positioned above a horizontal line.

Jason Goad, SB#9341
Counsel for Defendant
940 4th Ave
Huntington, WV 25701