

35501

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA  
STATE OF WEST VIRGINIA

VS. CASE NO. 07-F-15-B  
Judge Robert A. Burnside, Jr.

RODNEY BERRY,  
Defendant

ORDER

This the 22<sup>nd</sup> day of May, 2009, came the State of West Virginia, by its Prosecuting Attorney, Kristen Keller, and came the defendant in person and by counsel, Gary Frasher and C. Michael Griffith, appearing before the Honorable Robert A. Burnside, Jr., Judge of the Circuit Court of Raleigh County, pursuant to his JURY VERDICT of GUILTY to TWO COUNTS OF FIRST DEGREE MURDER BY USE OF A FIREARM WITH NO RECOMMENDATION OF MERCY.

Whereupon, the Court pronounced sentence upon the defendant as follows: The defendant is sentenced to a term and period of confinement in the penitentiary for the remainder of his life, with no recommendation of mercy and no eligibility for parole on *each* charge of *First Degree Murder By Use of a Firearm*. Said sentences shall run *consecutively* to each other.

It is ORDERED that the defendant be given credit for time served from December 2, 2006 through the present.

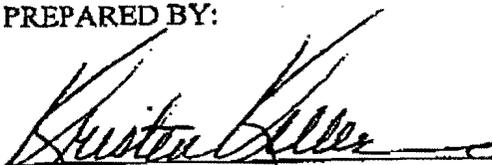
The defendant is ORDERED to pay costs incurred in the prosecution of this matter.

The defendant is remanded to the custody of the Southern Regional Jail to await transportation to the penitentiary.

ORDER:

ENTER:   
JUDGE ROBERT A. BURNSIDE, JR.

PREPARED BY:

  
KRISTEN KELLER  
Raleigh County Prosecuting Attorney  
State Bar # 1992

**CERTIFICATE OF SERVICE**

I, Crystal L. Walden, hereby certify that on the 23<sup>rd</sup> day of November, 2009, I mailed a copy of the foregoing *Petition For Appeal* to Kristen Keller, Prosecuting Attorney for Raleigh County, 112 N. Heber Street, Beckley, West Virginia 25801.



Crystal L. Walden  
Deputy Public Defender

RECEIVED AND FILED  
2009 NOV 24 AM 10:29  
JANICE E. DAVID  
CIRCUIT CLERK