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FILED
2009 AUG 17 AM 11:21
CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

v.

No. 08-F-538
(Judge Kaufman)

ELIZABETH DAWN THORNTON,
Defendant

ORDER RESENTENCING DEFENDANT

On July 31, 2009, the Defendant, **ELIZABETH DAWN THORNTON**, by counsel, presented to the Court its Motion to Resentence Defendant to Renew Appeal Period.

For the reasons set forth therein, the Motion to Resentence the Defendant to Renew Appeal Period is hereby **ORDERED** granted.

Upon the finding of guilty by a jury of the felony offense of Child Neglect Resulting in Death, as contained in Felony Indictment Number 08-F-538, it is the judgment of this Court that the defendant, **ELIZABETH DAWN THORNTON**, is guilty of Child Neglect Resulting in Death.

THEREUPON, it was demanded of the said **ELIZABETH DAWN THORNTON**, if anything she had or knew to say why the Court should not now proceed to pronounce the sentence of the law against her, and no valid reason being offered or alleged in delay of judgment, it is **CONSIDERED** and **ORDERED** by the Court that the defendant, **ELIZABETH DAWN THORNTON**, be confined in the penitentiary of this State for an indeterminate term of not less than three (3) nor more than fifteen (15) years, with credit for time spent in jail awaiting

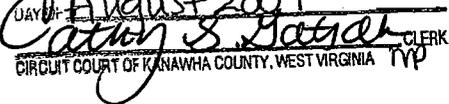
trial and conviction, which credit for time so spent in jail is 413 (TK). And it is further ORDERED that the proper officer do, as soon as practicable, remove and safely convey the said ELIZABETH DAWN THORNTON, from the South Central Regional Jail to the Department of Corrections, to be kept imprisoned and maintained in the manner prescribed by law.

WHEREUPON, the prisoner was remanded to jail.

It is further ORDERED that the Clerk send a certified copy of this Order to all counsel of record.

ENTERED THIS 17 day of August, 2009

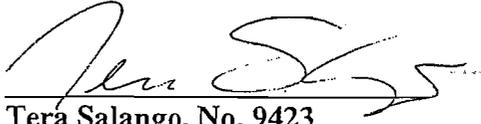

TOD J. KAUFMAN JUDGE

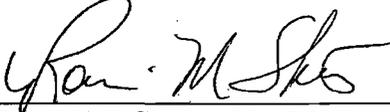
STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.
WITNESS UNDER MY HAND AND SEAL OF SAID COURT THIS 19th
DAY OF August 2009

CATHY S. GATSON CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA TYP

PRESENTED BY:

INSPECTED BY:


George Castelle, No. 672
Public Defender
P.O. Box 2827
Charleston, WV 25330


Tera Salango, No. 9423
Assistant Prosecuting Attorney
700 Washington St. East, 4th Floor
Charleston, WV 25301


Ronni M. Sheets, No. 7505
Deputy Public Defender
P.O. Box 2827
Charleston, WV 25330


Donald P. Morris, No. 2635
Assistant Prosecuting Attorney
700 Washington St. East, 4th Floor
Charleston, WV 25301

Certificate of Service

2009 DEC 17 PM 2:30
KANAHA COUNTY CIRCUIT COURT

I, George Castelle, do hereby certify that on the 17th day of December, 2009, I delivered a copy of the foregoing Petition for Appeal by hand, upon:

Donald P. Morris,
Tera Salango
Assistant Prosecuting Attorneys
Geary Plaza
700 Washington Street East
Charleston, WV 25301

George Castelle
George Castelle