

14-1037

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

**STATE OF WEST VIRGINIA**

**VS.**

**CASE NO.**

**13-F-225-H**

**Judge John A. Hutchison**

**DONALD DUNN,  
DOB: 01/04/1990**

**Defendant**

**ORDER**

This the 5<sup>th</sup> day of September, 2014, came the State of West Virginia, by its Prosecuting Attorney, Kristen Keller, and came the defendant in person and by counsel, David White, appearing before the Honorable John A. Hutchison, Judge of the Circuit Court of Raleigh County, pursuant to his JURY VERDICT of GUILTY to FIRST DEGREE MURDER (BY USE OF A FIREARM) WITH NO RECOMMENDATION OF MERCY and ATTEMPTED FIRST DEGREE (BY USE OF A FIREARM).

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 the charge of *First Degree Murder By Use of a Firearm* and sentenced to a term and period of not less than three (3) years nor more than fifteen (15) years in the penitentiary on the charge of *Attempted First Degree Murder By Use of a Firearm*. Said sentences shall run *consecutively* with each other.

It is ORDERED that the defendant be given credit for time served in the Southern Regional Jail from May 25, 2013 through the present.

Whereupon, counsel for the defendant move the Court for a new trial, and for reasons more fully placed upon the record in this matter, said motion was *DENIED*.

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.

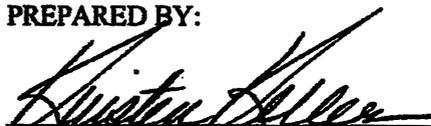
It is ORDERED that the previous Order directing that there be no contact between the defendant and the surviving victim, Johanna McDermott, is hereby lifted and that whether or not such contact is permitted shall be at the discretion of correctional authorities.

ORDER:

ENTER:

  
JUDGE JOHN A. HUTCHISON

PREPARED BY:

  
KRISTEN KELLER  
Raleigh County Prosecuting Attorney  
State Bar # 1992

Remove From Docket  
By Order of JAH  
COPIES TO ALL LAWYERS

The foregoing is a true copy of an order entered in this office on the 11 day of Sept, 2014.  
PAUL H. FLANAGAN, Circuit Clerk of Raleigh County, West Virginia  
By:   
Deputy

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

**STATE OF WEST VIRGINIA**

**vs.**

**CASE NO. 13-F-225-H**

**DONALD DUNN,  
Defendant**

**AMENDED ORDER APPOINTING COUNSEL  
FOLLOWING ELIGIBILITY DETERMINATION BY PUBLIC DEFENDER**

An affidavit has been filed with this Court reciting that **DONALD DUNN**, is approved for Court Appointed Counsel pursuant to W. Va. Code 29-21-1, et seq., the Court is of the opinion the eligibility requirements of W. Va. Code 29-21-1, et seq., are satisfied. Accordingly, the Court **ORDERS:**

That **DAVID L. WHITE**, a licensed Attorney at Law practicing before the Bar of this Court, is appointed to represent **DONALD DUNN** in the following described proceedings before this Court:

**MURDER APPEAL**

The Circuit Clerk is directed to forward **BY MAIL** all documents pertaining to this matter to the attorney appointed by this Court.

**ENTER this \_\_\_\_\_ day of \_\_\_\_\_, 2014.**

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**JUDGE**

**IMPORTANT NOTE:**

**All required Orders of Court must be certified and must bear the Circuit Clerk's seal.**