

15-0535

IN THE CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS

CRIMINAL ACTION NO 13-23
JUDGE LORENSEN

Rickie Greenfield Jr,

CORRECTED JURY TRIAL HEARING ORDER

BERKELEY COUNTY
CLERK OF COURT
2016 FEB -9 PM 3:55
VIRGINIA M. SINE, CLERK

This matter came on for hearing this 27^h, 28th, 29th, 30th days of January, 2015, upon the papers and pleadings had herein, upon the appearance of the defendants, in person, and his counsel, B. Craig Manford, respectively, and upon the appearance of the State of West Virginia by Pamela Jean Games-Neely, Prosecuting Attorney for Berkeley County, West Virginia.

Whereupon a jury of twelve persons were empaneled and heard the presentation of evidence and the arguments of counsel. At the conclusion of the said presentation, argument and instructions the twelve person jury was returned to their jury room for deliberations.

Whereupon, the Court was advised that the jury had reached a verdict. The parties were assembled before the Court and the jury was returned to the courtroom from their deliberation room. The Court inquired of the foreperson if a verdict had been reached to which the foreperson responded in the affirmative. The Court directed that the verdict form be handed to the Clerk and read as signed by the foreperson.

The Verdict read: We, the members of the jury, find the defendant,

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Count 1

Guilty of Murder of the First Degree without a recommendation of mercy.

The Court asked the parties if they desired to inspect the jury form and both reviewed and accepted the verdict form as proper. The Court then inquired if the parties desired to have the jury polled. The defendant elected to have the jury polled.

The Clerk read the poll of the jury and each acknowledged in the affirmative that the verdict was his/her verdict.

The Court ORDERED the verdict form filed and dismissed the jury.

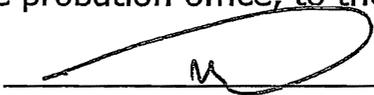
The Court ORDERED that motions shall be filed within ten days of this date with the hearing to occur on the said motions on the 3rd day of April 2015 at 10:00 p.m.

The Court ORDERED that a pre-sentence investigation be conducted by the probation officer of this Court returnable on the 3rd day of April, 2015 at 10:00 p.m.

The Court ORDERED that sentencing shall be scheduled for the 3rd day of April, 2015 at 10:00 p.m.

The defendant was remanded to the Eastern Regional Jail.

The Clerk shall enter this order as of this date and shall forward copies to all counsel of record, to the probation office, to the Eastern Regional Jail.



JUDGE OF THE CIRCUIT COURT OF
BERKELEY COUNTY, WEST VIRGINIA

ATTEST

Virginia M. Sine
Clerk Circuit Court

By: 

Deputy Clerk

PREPARED BY:
Pamela Jean Games-Neely

Prosecuting Attorney for Berkeley County
Bar no. 1332
380 West South Street, Suite 1100
Martinsburg, West Virginia 25401
304-264-1971

IN THE CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS.

CRIMINAL ACTION NO. 13-F-2333
JUDGE LORENSEN

Ricky Greenfield Jr.

POST TRIAL MOTIONS RULING AND SENTENCING ORDER

This matter came on for hearing this 3RD day of April, 2015, upon the papers and pleading had herein, upon the appearance of the defendant, in person, and by counsel B. Craig Manford, Esquire, and upon the appearance of the State of West Virginia by Pamela Jean Games-Neely, Prosecuting Attorney for Berkeley County, West Virginia.

Whereupon this matter comes on for sentencing and post-trial motions. The Court heard the argument of counsel regarding the written motions filed by the defense.

On the first prong of the argument, sufficiency of the evidence argument, the Court finds that this case was strongly tried on both sides. The evidence in this case consisted of direct evidence of phone conversations to the father and sister; the multiple strikes to the victim with an object that foreign to the environment, a hammer; the state of undress of the victim; the father of the defendant that he was concerned about the potential for violence and his request to remove the firearms. The Court believes that there was sufficient evidence for the jurors to have rendered the verdict that they did. Therefore, the Court will DENY the motion on this ground.

SECRETARY OF THE
CIRCUIT CLERK
2015 MAY -4 PM 3:06
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On the second prong of the argument, concerning testimony at trial of Kristen Strong. She testified that the implement used was a hammer, but she got that from the police not the defendant. She testified that one letter was signed the Hammer. The jury got to see her in person and she did smirk when she admitted that comment which prompted the State to ask the question if she thought it was funny. The statement was in context. It was very clear that she was trying to help the defendant. The Court however, does not believe that her testimony was a turning point in the case and will DENY the motion.

Third prong was the use of the photographs. The State used one photograph ~~showing her~~ showing the multiple strikes ^{TO THE VICTIM} which would not have been shown in a black and white photograph. The Court finds that these crime scene pictures were more probative than prejudicial. Therefore, the Court will DENY the motion on this ground as well.

All other matter are preserved and the objection and exception of the defendant is noted.

Whereupon, this matter comes on for sentencing. The Court asked if there was any legal cause why sentencing could not occur. The parties advised that there was not. The Court further inquired if both parties had received the presentence investigation report and if there were any factual inaccuracies. The parties advised that they had received the report. There was one inaccuracy concerning an FPO which was in fact unfounded and dismissed.

Accordingly, the Court proceeded to sentencing.

MDC
§ 1-1

It is ORDERED that the defendant, Ricky Greenfield Jr, as having been previously convicted of murder in the first degree, and the jury having chosen not to attach mercy to their verdict, is hereby sentenced to the penitentiary house of this state for his natural life without the ^{possibility of} possible of ^{par} 5-1-15 parole, there to be dealt with according to law, that the State shall recover of and from the Defendant its costs on his behalf expended.

It is ORDERED that the defendant shall have credit for all time previously served.

CONVICTION DATE: January 30, 2015

SENTENCE DATE: April 3, 2015

EFFECTIVE SENTENCE DATE: August 21, 2013

The Defendant is remanded to the custody of the Commissioner of the Division of Corrections to begin serving the sentence herein imposed, but until such time that a representative of the Division of Corrections can be sent to take custody of the Defendant, he is remanded to the temporary custody of the Superintendent of the Eastern Regional Jail.

And it is further ORDERED and ADJUDGED that the per diem cost of housing this Defendant temporarily at the Eastern Regional Jail awaiting transfer to the Division of Corrections shall from the date of this Order be paid solely by the Division of Corrections.

It is further ORDERED that B. Craig Manford is appointed for purposes of appeal.

THE CLERK shall enter the foregoing as of the day and date first above written and shall transmit attested copies to all counsel of record, to the

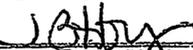
Eastern Regional Jail and to the Division of Corrections.



JUDGE
TWENTY-THIRD JUDICIAL CIRCUIT
BERKELEY COUNTY WEST VIRGINIA

ATTEST

Virginia M. Sine
Clerk Circuit Court

By: 
Deputy Clerk

PREPARED BY:
Pamela Jean Games-Neely
Prosecuting Attorney
Bar no. 1332
380 West South Street, Suite 1100
Martinsburg, West Virginia 25401

The Clerk is directed to retire this
action from the active docket and
place it among causes ended.