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IN THE CIRCUIT COURT OF MCDOWELL COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS. FELONY NO. 08-F-154-S

AMOS GABRIEL HICKS  
a/k/a GABE HICKS

**SENTENCING ORDER**

On the 5<sup>th</sup> day of October, 2009, came the State of West Virginia by Sidney H. Bell, Prosecuting Attorney of McDowell County, and the defendant, Amos Gabriel Hicks, in person and by counsel, Thomas R. Scott, Jr. And Michael F. Gibson, for sentencing.

Thereupon, the Court permitted the defendant and his attorneys an opportunity to review the pre-sentence investigation report submitted to the Court by the Probation Officer and then gave them an opportunity to be heard prior to sentencing. The Court also permitted Veronica Mullins, mother of victim, Jeffery Mullins, and Lula Belle Webb, grandmother of Jamie Shantel Webb, to address the Court prior to sentencing. After due consideration of said report, the remarks of the defendant and his counsel, and the facts and circumstances of this case, the Court finds that the defendant's application for probation or other alternative sentencing should be denied.

It is, therefore, **ORDERED** that the defendant be sentenced to the custody of the Commissioner of the West Virginia Division of Corrections upon his conviction of the felony offense of Murder of the First Degree as charged in Count One of the within indictment to life imprisonment without the possibility of parole; and further sentenced to the custody of the Commissioner of the West Virginia Division of Corrections upon his conviction of the felony offense of Malicious Assault as charged in Count Two of the within

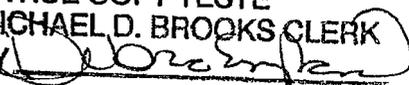
indictment to imprisonment for not less than two (2) years nor more than ten (10) years; and further sentenced to the custody of the Commissioner of the West Virginia Division of corrections upon his conviction of Conspiracy as charged in Count Three of the within indictment to imprisonment for not less than one (1) year nor more than five (5) years with said sentences to be served **consecutively** with each other, with credit for time previously served, the defendant shall pay the Court costs and costs of prosecution as determined by the Circuit Clerk, and the defendant is remanded to the Southwestern Regional Jail into the custody of the West Virginia Commissioner of the Division of Corrections. The Court advised defendant of his appeal rights, and **ORDERED** the defendant's bond be discharged.

The Clerk of this Court is directed to provide a copy of this Order to counsel of record, the probation office, the Southwestern Regional Jail and the West Virginia Division of Corrections.

**ENTER:** This 7<sup>th</sup> day of October, 2009.



Booker T. Stephens, Judge

A TRUE COPY TESTE  
MICHAEL D. BROOKS CLERK  
BY 

**COMMITMENT**

IN THE CIRCUIT COURT OF MCDOWELL COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS. FELONY NO. 08-F-154-S

AMOS GABRIEL HICKS  
a/k/a GABE HICKS

On this 5<sup>th</sup> day of October, 2009, came the attorney for the State and the defendant appearing in person and represented by Thomas R. Scott, Jr. and Michael F. Gibson.

**IT IS ADJUDGED** that the defendant has been convicted by a jury of the felony offense of Murder of the First Degree as charged in Count One of the within indictment, the felony offense of Malicious Assault as charged in Count Two of the within indictment, and the felony offense of Conspiracy as charged in Count Three of the within indictment, and the Court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court, **IT IS ADJUDGED** that the defendant is guilty as charged and convicted.

**IT IS ADJUDGED** that the defendant is hereby committed to the custody of the Commissioner of Corrections, or his authorized representative, for imprisonment for life without the possibility of parole upon his conviction of the felony offense of Murder of the First Degree as charged in Count One of this indictment; imprisonment for not less than two years nor more than ten years upon his conviction of the felony offense of Malicious Assault as charged in Count Two of this indictment; and, imprisonment for not less than one year nor more than five years upon his conviction of the felony offense of Conspiracy as charged in Count Three of this indictment.

**CONVICTION DATE:** July 23, 2009  
**SENTENCE DATE:** October 5, 2009  
**EFFECTIVE SENTENCE DATE:** June 24, 2009

**IT IS ADJUDGED** that the defendant be given credit for time served in confinement awaiting disposition of this case.

**IT IS ORDERED** that the Clerk forthwith transmit this record, duly certified, of the judgment and commitment to the Commissioner of the Department of Corrections, and that this record serve as the commitment of the defendant.

MCDOWELL COUNTY

BOOKER T. STEPHENS  
JUDGE

MICHAEL D. BROOKS  
CIRCUIT CLERK

Debra England  
DEPUTY CLERK

Booker S. Stephens  
JUDGE

Michael D. Brooks  
CIRCUIT CLERK

Debra England  
DEPUTY CLERK

A TRUE COPY. Certified this 9 day of October, 2009.

SEAL: