

35685

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IN THE CIRCUIT COURT OF MARION COUNTY, WEST VIRGINIA  
DIVISION II

STATE OF WEST VIRGINIA  
Plaintiff,

V.

SALADINE QUINN RICHARDSON,  
AKA LAWRENCE FLANAGAN  
AKA "WOO",  
AKA "SALLY WOO",  
Defendant.

Case No. 06-F-74

RECEIVED & FILED  
IN  
CIRCUIT CLERKS OFFICE  
BARBARA A. CORE  
CIRCUIT CLERK  
2009 JAN 26 AM 11 45

TRIAL ORDER

On the 22<sup>nd</sup> day of January, 2009, came the State of West Virginia, by Patrick N. Wilson, it's Prosecuting Attorney, and also came the Defendant, SALADINE RICHARDSON, in person and by his counsel, Joseph Hodges, and the parties announced that they were ready for trial upon the Indictment heretofore filed in this action and the issues thereon were joined between the State of West Virginia and the defendant as set forth in the Indictment.

Thereupon, came a jury on the 21<sup>st</sup> day of January, 2009, of Brent Loar, Karen Ford, Brian Toothman, Misti Michael, Roni Talkington, Carey Farrell, Byram Brewer, Jessika Heflin, Joann Rager, James Powell, Joann Hatfield, and Rebecca Longwell, lawful jurors elected, impaneled, and tried and sworn in a manner provided by law to well and truly try the issues joined between the parties hereto as required by law, and a true verdict render according to the evidence. The parties then proceeded to introduce and present their evidence and the testimony of their respective witnesses, which testimony and evidence concluded on the 22<sup>nd</sup> day of January, 2009, and after having heard all the evidence presented in the case, on behalf of both the State of West Virginia and the defendant, and upon the instructions of the Court, and the arguments of counsel for the respective parties hereto.

Whereupon, the jury then retired and after a time returned in open Court and announced its verdict to be as follows:

We the Jury find the Defendant, SALADINE QUINN RICHARDSON, guilty of the offense of MALICIOUS ASSAULT, as charged in the Indictment.

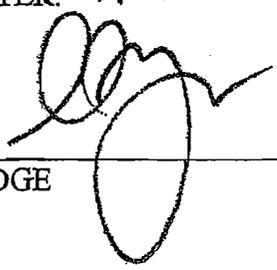
/s/ Brian Toothman,  
Foreperson

Thereupon, the Court ORDERED that this matter be referred to the Adult Probation Office for a presentence investigation, and there being no objection by the State, it is ORDERED that this matter be, and it hereby is, referred to the Adult Probation Office for a presentence investigation of the defendant, and that the Adult Probation Office report to this Court in writing, as to the finding of such presentence investigation.

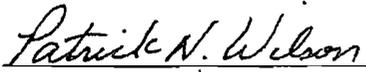
Whereupon, the Court remanded the defendant to the care and custody of the Division of Corrections Authorities to be held as prescribed by law until the time of his sentencing, ~~on~~  
~~the 4 day of 2009 at o'clock a.m/p.m.~~

All until further Order of the Court.

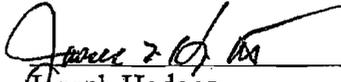
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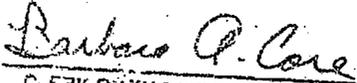
  
\_\_\_\_\_  
JUDGE

Prepared by:

  
Patrick N. Wilson  
Prosecuting Attorney A COPY  
213 Jackson Street  
Fairmont, WV 26554

Approved By:

  
Joseph Hodges  
Counsel for the defendant  
221 Washington Street  
Fairmont, WV 26554

  
CLERK OF THE CIRCUIT COURT  
MARRION COUNTY, WEST VIRGINIA

IN THE CIRCUIT COURT OF MARION COUNTY, WEST VIRGINIA  
DIVISION II

STATE OF WEST VIRGINIA  
Plaintiff,

V.

CASE NO. 06-F-74

SALADINE RICHARDSON,  
Defendant.

**FINAL ORDER**

SENTENCING ORDER

On the 17<sup>th</sup> day of September, 2009, came the State of West Virginia, by Patrick N. Wilson, its Prosecuting Attorney, and came the Defendant, SALADINE RICHARDSON, in person, and by his counsel, Joseph T. Hodges, III, and came also the Court's Adult Probation Officer, Toni Pill, all for a sentencing hearing in this matter, pursuant to the defendant having been found guilty of MALICIOUS ASSAULT, by a jury on the 22<sup>nd</sup> day of January, 2009. The Court after hearing all testimony and corrections during these hearings moved to the sentencing hearing in this matter.

**WHEREFORE**, the Court stated it had received a copy of the pre-sentence investigation report prepared by the Adult Probation Office. The Court inquired if the Defendant and State received copies of the same, both parties replied in the affirmative. The Court next inquired if either party had any corrections or objections to the pre-sentence investigation report, both of which replied negative.

**WHEREUPON**, the Court then inquired of the Defendant if there was any reason why judgment should not now be pronounced against him, and nothing being offered or alleged, the Court then considered the representations and recommendations regarding sentencing made by the Defendant and by the State.

ENTERED Oct. 29, 09

ORDER BOOK 145 PAGE 530

RECEIVED & FILED  
IN  
CIRCUIT CLERKS OFFICE  
OCT 29 AM 9:19  
BARBARA A. CORLE  
CIRCUIT CLERK

**RECEIVED**  
OCT 26 2009  
16<sup>th</sup> Judicial Circuit Div. II

**WHEREFORE**, after hearing the comments of counsel and the recommendations of the State, and after having had the opportunity to review all matters of record herein;

**THEREFORE**, it is adjudged and **ORDERED** that the Defendant be confined in a state penitentiary for not less than Two (2) years nor more than Ten (10) years for the offense of **MALICIOUS ASSAULT** as charged in count I of the Indictment, with credit for time served from March 9, 2006, through September 17, 2009 in the amount of One Thousand Two Hundred Eighty-nine (1289) days. Said sentence in Count I of the Indictment is to run consecutively to the Defendant's sentence in Counts IV, V, VI, VIII, VIII, and IX of the Indictment.

**CONVICTION DATE:** January 22, 2009

**SENTENCE DATE:** September 17, 2009

**EFFECTIVE SENTENCING DATE:** March 9, 2006

The Court **ORDERS** that the defendant shall pay \$1,255.00 in court costs and attorneys fees in the amount of \$\_\_\_\_\_ to be paid to and through the Marion County Circuit Clerks Office, Marion County Courthouse, 2nd Floor, Fairmont, West Virginia 26554. Said fees and costs shall be paid in full within three (3) years of Defendant's release from incarceration.

The Defendant is hereby advised of the following rights concerning his conviction and sentence:

Pursuant to Rule 32 of the West Virginia Rules of Criminal Procedure, the Defendant has the right to appeal this Court's ruling in regard to the sentences imposed today to the West Virginia Supreme Court of Appeals.

To appeal, the Defendant must file his notice of intent to appeal, in writing, with

the Clerk of the Circuit Court of Marion County, at the Marion County Courthouse, in Fairmont, West Virginia, within thirty (30) days from the date of the entry of this Court's final sentencing order.

If the Defendant cannot afford to pay for transcripts of the proceedings in his case or employ a lawyer to prosecute his appeal, both will be provided to him, at no expense, upon proper written request.

Defendant must notify the Clerk of this Court, in writing, of his request to have an attorney appointed for him to exercise these rights.

Defendant is notified, pursuant to Chapter 62, Article 4, Section 17 of the West Virginia Code, that if he does not pay, in full and within the time period prescribed, the court costs, fines, restitution, and/or attorney fees ordered today by the Court, his West Virginia driver's license shall be suspended by the West Virginia Division of Motor Vehicles. Any such suspension shall remain in effect until all Court ordered court costs, fines, and/or restitution are paid in full.

Defendant is further notified that any such suspension of his driver's license could result in the cancellation of, the failure to renew, or the failure to issue an automobile insurance policy providing coverage for him or his family.

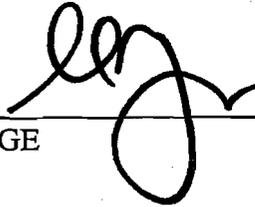
The Circuit Clerk shall provide the defendant's lawyer with a certified copy of the Court's Sentencing Order and, included therein, shall be the amounts for the court costs, fine, restitution, and/or attorney fees.

The foregoing notice was read, in open Court, and a copy of same was delivered to the above defendant by the undersigned on the 17<sup>th</sup> day of September, 2009.

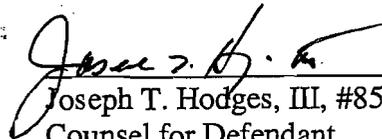
It is further ORDERED that the Clerk of the Court shall forward a certified copy

of this Order to: Patrick N. Wilson, Prosecuting Attorney, 213 Jackson Street, Fairmont, WV 26554; counsel for the Defendant, Joseph T. Hodges, III, 221 Washington Street, Fairmont WV 26554; Adult Probation Office, Toni Pill, 314 Monroe Street, 2<sup>nd</sup> Floor, Fairmont, WV 26554; the North Central Regional Jail, 1 Lois Lane, Greenwood WV 26415; and the West Virginia Division of Corrections, 112 California Avenue, Building 4 Room 300, Charleston WV, 25305.

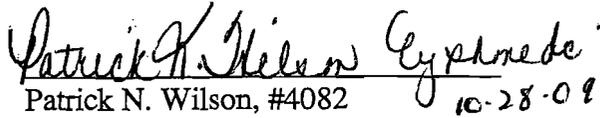
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\_\_\_\_\_  
JUDGE

ORDER PREPARED BY:

  
\_\_\_\_\_  
Joseph T. Hodges, III, #8556  
Counsel for Defendant  
221 Washington Street  
Fairmont, WV 26554

ORDER APPROVED BY:

  
\_\_\_\_\_  
Patrick N. Wilson, #4082  
Prosecuting Attorney  
213 Jackson Street  
Fairmont, WV 26554  
10-28-09