

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

v.

Case No. 09-F-393
(Judge Tod J. Kaufman)

RHONDA KAY STEWART

ORDER

2010 MAR -2 PM 2:14
Kaufman
Circuit Clerk

FILED

On the 2nd day of March, 2010, came the defendant, **RHONDA KAY STEWART**, together with counsel, John Mitchell, Jr., and also came the State of West Virginia by Maryclaire Akers, Assistant Prosecuting Attorney in and for Kanawha County, West Virginia.

Upon her conviction by a jury of her peers of the felony offense of Murder in the First Degree, as contained in Felony Indictment Number 09-F-393, entered in this Court on the 18th day of December, 2009, with his counsel then present, it is the judgment of this Court that the defendant, **RHONDA KAY STEWART**, is guilty of Murder in the First Degree.

THEREUPON, it was demanded of the said **RHONDA KAY STEWART**, if anything he had or knew to say why the Court should not now proceed to pronounce the sentence of the law against him, and no valid reason being offered or alleged in delay of judgment, it is **CONSIDERED** and **ORDERED** by the Court that the defendant, **RHONDA KAY STEWART**, be confined in the penitentiary of this State for the rest of her natural life with mercy, with credit for time spent in jail awaiting trial and conviction, which credit for time so spent in jail is two hundred sixty-two (262) days. And it is further **ORDERED** that the proper officer do, as soon as practicable, remove and safely convey the said **RHONDA KAY STEWART**, 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 2nd day of March, 2010

Tod J. Kaufman
 TOD J. KAUFMAN, JUDGE

PRESENTED BY:

INSPECTED BY:

Maryclaire Akers
 Maryclaire Akers, Assistant
 Prosecuting Attorney in and for
 Kanawha County, West Virginia
 700 Washington Street, E. 4th Floor
 Charleston, WV 25301
 WV State Bar ID No. 8085

John Mitchell, Jr.
 John Mitchell, Jr.,
 Attorney at Law
 28 Ohio Avenue
 Charleston, WV 25302
 Counsel for Defendant
 WV State Bar ID No. 2581

STATE OF WEST VIRGINIA
 COUNTY OF KANAWHA, SS
 I, CATHY S. GATSON, CLERK OF THE 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
 GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 26
 DAY OF March, 2010
Cathy S. Gatson CLERK
 CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Date 3/26/10
 Certified copies sent to:
 court of record
 parties BOB DOC SERV
 other LAKM, Fiduciary
 (please indicate)
 By: certified/1st class mail
 fax
 hand delivery
 interdepartmental
 other (specify accomplished)
Della
 Deputy Circuit Clerk

FILED

CERTIFICATE OF SERVICE

I, Gregory L. Ayers, hereby certify that on this 2d day of September, 2010, a copy of the foregoing Petition For Appeal was sent via hand delivery to Mark Plants and W. Kent Carper Justice and Public Safety Complex, 301 Virginia Street East, West Virginia 25301.

2010 SEP 2 PM 3:43
CATHY S. GATSON, CLERK
KANAWHA COUNTY DISTRICT COURT


Gregory L. Ayers
Counsel for Petitioner