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

STATE OF WEST VIRGINIA

Plaintiff,

V.

Case No. 07-F-195

JASON CLAY ANDERSON,

Defendant.

AND SENTENCING

TRIAL ORDER

On the 7th day of April, 2010, came the State of West Virginia, by Patrick N. Wilson, it's Prosecuting Attorney, and also came the Defendant, JASON CLAY ANDERSON, in person and by his counsel, Harry Montoro and Katica Ribel, 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 7th day of April, 2010, of Sara Shuster, Susan Andy, Dorthea McCartney, George Ridgway, Joseph Musgrave, Jeffrey Stacy, George Larew, Jason Stalnaker, J.P. Lafallete, Corey DeVault, Mona Turner, and Joey McKinney, 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 12th day of April, 2010, 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, JASON CLAY ANDERSON, guilty of the offense of MURDER OF A CHILD BY A PARENT, GUARDIAN OR CUSTODIAN.

/s/ J.P. Lafallete,
Foreperson

Thereupon, the Court ORDERED that the Defendant be sentenced to confinement in the state penitentiary for life without mercy. The Defendant shall receive credit for time served from August 9, 2007 through April 12, 2010 in the amount of Nine Hundred Seventy Seven (977) days.

CONVICTION DATE: April 12, 2010

SENTENCE DATE: April 12, 2010

EFFECTIVE SENTENCING DATE: August 9, 2007

Whereupon, the parties returned to Court on the 21st day of April, 2010, for the purpose of reading the Defendant his post conviction rights as follows:

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, you 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 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 21st day of April, 2010.

Whereupon, the Court remanded the Defendant to the care and custody of the North Central Regional Jail Authorities to be held as prescribed by law for execution of his sentence.

All until further Order of the Court.

ENTER: 4/21/10



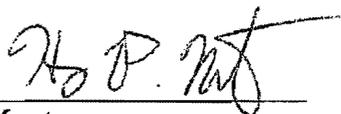
JUDGE

Prepared by:

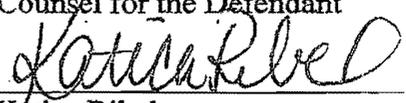


Patrick N. Wilson
Prosecuting Attorney
213 Jackson Street
Fairmont, WV 26554

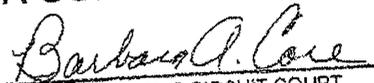
Approved by:



Harry Montoro
Counsel for the Defendant



Katica Ribel
Counsel for the Defendant

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CLERK OF THE CIRCUIT COURT
MARION COUNTY, WEST VIRGINIA