

11-1158

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

FILED
2010 NOV 22 PM 3:23
CATHY S. GATSON, CLERK
KANAWHA CO. CIRCUIT COURT

STATE OF WEST VIRGINIA

v.

09-F-868 Counts Two, Three and Four

RAYMOND D'ARCO

ORDER

The defendant, RAYMOND D'ARCO, who stands convicted by a jury verdict returned in this Court on the 26th day of August, 2010, on the charges of Conspiracy To Operate A Clandestine Drug Laboratory as contained in Felony Indictment No. 09-F-868 Count Two, Operating A Clandestine Drug Laboratory as contained in Felony Indictment No. 09-F-868 Count Three, and Possession Of Substances To Be Used As Precursor For The Manufacture Of Methamphetamine as contained in Felony Indictment No. 09-F-868 Count Four, this day appeared in Court, in the custody of the Sheriff, together with his counsel, Edward ReBrook, and also came the State of West Virginia by Benjamin Freeman, Assistant Prosecuting Attorney in and for Kanawha County, West Virginia.

THEREUPON, it was demanded of the said RAYMOND D'ARCO, 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 as follows:

33-35

09-F-868 Count Two: That the defendant, RAYMOND D'ARCO, be sentenced and confined in the Penitentiary of this State for an indeterminate term of not less than one (1) year nor more than five (5) years, with credit for time served while awaiting trial and conviction, which credit for time served is 166 days.

09-F-868 Count Three: That the defendant, RAYMOND D'ARCO, be sentenced and confined in the Penitentiary of this State for an indeterminate term of not less than two (2) years nor more than ten (10) years. Said sentence shall run **CONSECUTIVE** to that certain sentence imposed this date in **09-F-868 Count Two.**

09-F-868 Count Four: That the defendant, RAYMOND D'ARCO, be sentenced and confined in the Penitentiary of this State for an indeterminate term of not less than two (2) years nor more than ten (10) years. Said sentence shall run **CONSECUTIVE** to those certain sentences imposed this date in **09-F-868 Count Two and Count Three.**

And it is further ORDERED that the proper officer do, as soon as practicable, remove and safely convey the said RAYMOND D'ARCO to the custody of the Division of Corrections, there to be kept imprisoned and maintained in the manner prescribed by law.

WHEREUPON, the prisoner was remanded.

ENTERED this 22nd day of November, 2010.

11-24-10
✓ SCRS, DOC, MOCC,
✓ KCC, Parole Bd
✓ [unclear]
✓ [unclear]
✓ [unclear]

Jennifer F. Bailey
JENNIFER F. BAILEY, JUDGE

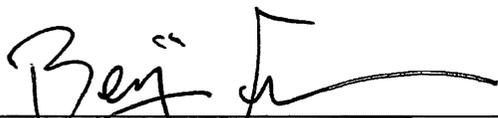
RECORDED

State v. RAYMOND D'ARCO
09-F-868
Order, Page 3

INSPECTED BY:



EDWARD REBROOK, ESQ.
WV State Bar ID No. 3030



BENJAMIN FREEMAN, ESQ.
Assistant Prosecuting Attorney in and for
Kanawha County, West Virginia
WV State Bar ID No. 9875

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

2011 APR -1 PM 3:36

v.

CATHY S. CATSON, CLERK
KANAWHA CO. CIRCUIT COURT Case No. 09-F-868

RAYMOND D'ARCO,

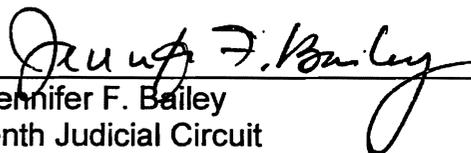
Defendant.

ORDER

On March 21, 2011, the Defendant filed a motion for extension of time to file his petition for appeal. After due consideration of Defendant's motion, the Court finds there is good cause to grant this motion.

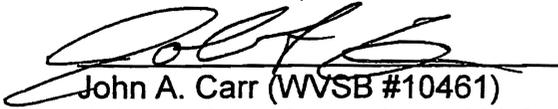
It is therefore ORDERED that the time period for filing Defendant's petition for appeal shall be extended for an additional two months to May 22, 2011.

Entered this 1st day of April, 2011.


Hon. Jennifer F. Bailey
Thirteenth Judicial Circuit

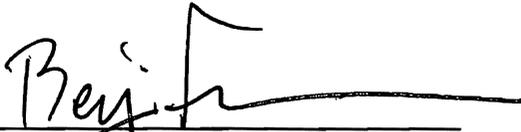
STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, W.V.
I, CATHY S. CATSON, CLERK OF THE CIRCUIT COURT OF SAID COUNTY
AND IN AND TO THE PUBLIC HEARLY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 4
DAY April 2011
Cathy S. Catson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA lt

Prepared By:



John A. Carr (WVSB #10461)
John A. Carr, Atty at Law, PLLC
118 Capitol Street, Suite 401
Charleston, WV 25301
(304) 344-4822
Counsel for the Defendant

Approved By:



Ben Freeman, Esq.
Assistant Prosecuting Attorney
Kanawha County
301 Virginia Street East
Charleston, WV 25301
Counsel for the State

FILED
IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

2011 JUN 30 AM 11:58

v.

CATHY S. GATSON CLERK
KANAWHA CO. CIRCUIT COURT Case No. 09-F-868

RAYMOND D'ARCO,

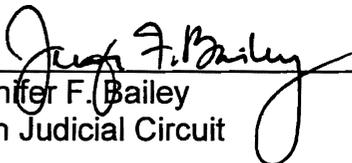
Defendant.

ORDER

On May 20, 2011, the Defendant filed a motion for extension of time to file his petition for appeal. After due consideration of Defendant's motion, the Court finds there is good cause to grant this motion.

It is therefore ORDERED that the time period for filing Defendant's petition for appeal shall be extended for an additional two months to July 22, 2011.

Entered this 28th day of June, 2011.



Hon. Jennifer F. Bailey
Thirteenth Judicial Circuit

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA
CATHY S. GATSON, CLERK OF THE CIRCUIT COURT OF SAID COUNTY
DO NOT SIGN THESE PAPERS UNTIL YOU HAVE REVIEWED THEM FOR ACCURACY
AND CORRECTED ANY ERRORS. IF YOU HAVE ANY QUESTIONS, CONTACT THE CLERK'S
OFFICE AT 330 MARKET STREET, MARTINSBURG, WV 26150-3000
DAY: 304-263-1234 FAX: 304-263-1235
Cathy S. Gatson
CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

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4

FILED
IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

v.

2011 JUL 15 AM 11:56
CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT
Case No. 09-F-868

RAYMOND D'ARCO,

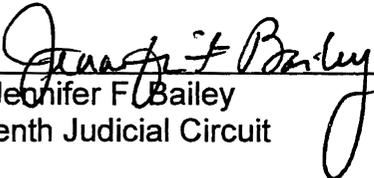
Defendant.

ORDER

On July 15, 2011, the Defendant filed an unopposed motion to resentence the defendant in order to perfect his appeal. After due consideration of defendant's motion, the Court finds there is good cause to grant this motion.

It is therefore ORDERED that the defendant is resented consistent with the pronouncement on November 22, 2010 of this Court.

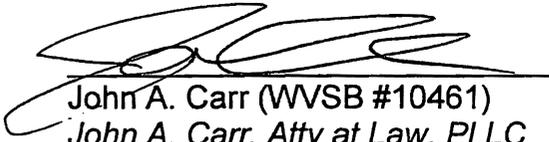
Entered this 15th day of July, 2011.



Hon. Jennifer F. Bailey
Thirteenth Judicial Circuit

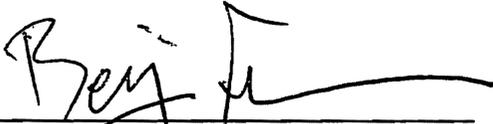
STATE OF WEST VIRGINIA
CIRCUIT COURT OF KANAWHA COUNTY
JULY 15 2011
Cathy S. Gatson
Clerk

Prepared By:



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Counsel for the State