

12-0256

IN THE CIRCUIT COURT OF MERCER COUNTY, WEST VIRGINIA:

STATE OF WEST VIRGINIA,

VS.

INDICTMENT NO. 11-F-61-OA

RONALD GOINS, JR.

ORDER

This matter came on this day for disposition, there being present in Court is Kelli Harshbarger, Assistant Prosecuting Attorney for the State of West Virginia; the defendant, in person and by counsel, David C. Smith, pursuant to the defendant having been found guilty by a jury of the offense of five counts of "Brandishing a Firearm".

Whereupon, counsel for defendant renewed their motion to set aside the verdict of the jury and grant unto the defendant a new trial. And the Court, after hearing argument of counsel for the defendant and the State, is of the opinion that the matters and things contained therein are not sufficient in law or fact to set aside the verdict of the jury and grant unto the defendant a trial; therefore, defendant's motion is **DENIED**.

Whereupon, the Court inquired of the defendant if anything for himself he had or knew to say why the Court here should not now proceed to pronounce judgement against him and nothing being offered or alleged in delay of judgement, it is **ORDERED** that the said Ronald Goins, Jr. be taken from the bar of this Court to the Southern Regional Jail and therein confined for a period of one (1) year as provided by law for each offense of "Brandishing a Firearm" as the State in Counts 3, 4, 5, 6 and 7 of its indictment herein hath alleged and by a jury hath found; that said sentences

run consecutively with one another; that the defendant be given credit for one (1) day, this being the time he has been confined on said charge; and that he be dealt with in accordance with the rules and regulations of that institution and the laws of the State of West Virginia.

After due consideration, it is further **ORDERED** that the aforementioned sentence be and is hereby suspended, and the defendant is hereby placed upon probation for a period of five (5) years under the supervision of the probation department of this County and Court and under the general rules and regulations as established by law, as well as with the following specific conditions:

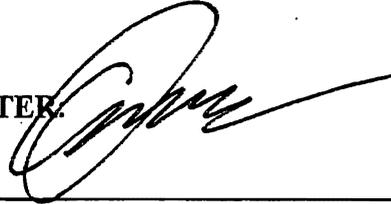
1. That the defendant pay all court costs within one (1) year, or be subject to having his driver's license suspended.
2. That the defendant obey all laws;
3. That the defendant refrain from using alcohol/drugs, associating with those who use such substances, and frequenting places where such may be present;
4. That the defendant submit to random alcohol/drug screens;
5. That the defendant not have any firearms in his possession;
6. That the defendant authorize the release of his medical records;
7. That the defendant surrender his concealed weapons permit to the probation department;
8. That the defendant serve at least three (3) months under home confinement with a GPS unit; however, the defendant is permitted work release, but must provide his schedule to the probation department;
9. That the defendant submit to a substance abuse assessment at the day report center and attend all recommended classes;
10. That the defendant consent to search.

The Court advises defense counsel may prepare appropriate order for an individual to hold guns for defendant during his probationary period.

The Clerk shall forward a copy of this Order to the probation department and counsel for defendant.

Dated this 18th day of January 2012.

ENTER.

A handwritten signature in black ink, appearing to read 'Omar', written over a horizontal line.

OMAR ABOULHOSN, JUDGE