

12-1486

IN THE CIRCUIT COURT OF LOGAN COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

Plaintiff

vs.

FELONY NO. 12-F-32-0

LAMAR DORSEY,

Defendant

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SENTENCING ORDER

On August 29, 2012, came the State of West Virginia, by R. Todd Goudy, Assistant Prosecuting Attorney for Logan County, West Virginia, Defendant Lamar Dorsey in person and by his attorney, Matt Hatfield, pursuant to this date having been scheduled for Post Trial Motions, Motion to Dismiss, Motion for new trial and Sentencing.

Counsel for the Defendant engaged in argument in support of his Motion to Dismiss and Motion for new Trial and same is incorporated by reference.

Counsel for the State engaged in argument countering the Defendant's Motions.

Thereupon, the Court Overruled the Defendant's Motion~~s~~ in full. All objections and exceptions arising from this motion ^{are} preserved. All provisions and exceptions made on record at trial, pre-trial and all previous hearings are noted and preserved. All of this Court's findings and support made on record are incorporated by reference into this order.

Thereupon, the Court proceeded to the sentencing.

Counsel for the State moved for the penitentiary sentence on each charge and requested that they be consecutively based upon the Defendant's extensive criminal

record and the fact that his bond was revoked for separate drug offenses.

Counsel for the Defendant argued for leniency in sentencing based upon the length of time in jail and the fact that he has a family in Columbus, Ohio.

The Defendant addresses the Court on his own behalf.

This Court made the following findings and it is ORDERED as follows:

1. Count One: Conspiracy to Deliver Crack Cocaine as charged in Count One the Defendant is sentenced to the West Virginia State Penitentiary for a period of One to Five years.
2. Count Two: Deliver Crack Cocaine as charged in Count Two the Defendant is sentenced to the West Virginia State Penitentiary for a period of One to Fifteen years.
3. Count Three: Conspiracy to Deliver Crack Cocaine as charged in Count Three the Defendant is sentenced to the West Virginia State Penitentiary for a period of One to Fifteen years.
4. Count Four: Conspiracy to Deliver Crack Cocaine as charged in Count Five the Defendant is sentenced to the West Virginia State Penitentiary for a period of One to Five years.
5. All sentences shall run CONSECUTIVELY.
6. The Defendant is given credit for time spent in jail since the date of his initial arrest on Counts One and Three only.
7. The Defendant is responsible for the cost of both actions, including a reasonable felony attorney fee.
10. The Defendant is placed in the custody of the Sheriff of Logan County, West Virginia for transport to the Southwestern Regional Jail, Holden, Logan County, West Virginia, where he shall remain until he can be surrendered to the West Virginia

Department of Corrections.

11. That Matt Hatfield is ^{relieved as counsel} ~~relieved~~ for purposes of appeal.

The Court does hereby ORDER that the Defendant has a period of ten (10) days within which to file any objections to this Order, in writing, and if no objections are filed, then this Court Order shall remain in full force and effect.

The Court ORDERS that the Clerk of this Court shall forward a certified copy of this Order to all counsel of record, Probation Office, Home Confinement, Southwestern Regional Jail, Department of Corrections and to the US 119 Task Force via fax:

304-752-3014.

ENTERED this 9th ^{NOVEMBER} day of ~~August~~, 2012.

Eric O'Briant
ERIC O'BRIANT, JUDGE

PREPARED FOR ENTRY BY:

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