

reviewed the pre-sentence investigation report and took the following matters into consideration:

- 1.The crime was planned;
- 2.The decision made by the defendant had a high likelihood of ending in violence;
- 3.The defendant's conduct was cold, cruel and calculated;
- 4.To permit an alternative sentence would unduly depreciate the seriousness of the offenses.

Based thereon, it is further the ORDER and JUDGEMENT of the Court that the defendant's application for alternative sentencing should be and the same is hereby DENIED.

The effective sentence for this crime shall be March 5, 2021. The defendant shall be credited with Two Hundred and Twenty-One (221) days' time served with the West Virginia Regional Jail Authority while awaiting disposition of this matter. The defendant shall be assessed the sum of Five Hundred Dollars (\$500) for the services of the Public Defenders Office.

It is further the ORDER and JUDGMENT of this Court that the defendant shall be assessed all court costs associated with this matter. All court costs are to be paid within the period of his supervision. The Court advises the defendant that failure to pay the fine and court costs assessed within twenty-four (24) months of his release from confinement may result in the loss of his West Virginia driver's license.

Furthermore, the defendant is advised of his right to appeal the Courts judgment to the Supreme Court of Appeals of West Virginia.

It is further the ORDER and JUDGMENT of this Court that the Clerk of this Court shall complete the Court Disposition Reporting Form, DPS Form 29, and shall send the original of such form to the appropriate agency for recordation. An attested copy of the Order shall be sent to Brian D. Parsons, Raleigh County Assistant Prosecuting Attorney, Kris N. Kostenko, Defense Counsel, Det. Nick Walters, BCPD and WVDOC.
Entered this the 18th day of August, 2021.

/s/ Robert A. Burnside, Jr.
Circuit Court Judge
10th Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.