

**In the Circuit Court of Raleigh County, West Virginia**

**State of West Virginia,** )  
Plaintiff, )  
)  
vs.) ) **Case No. CC-41-2021-F-402**  
)  
**CHARLES ERIC WARD,** )  
Defendant )  
)  
)

**SENTENCING ORDER**

This matter came on to be heard this 17<sup>th</sup> day of February 2022, the State of West Virginia appearing by Raleigh County Prosecuting Attorney Benjamin Hatfield, and the defendant, appearing in person and by counsel Benjamin Olsen, Esq., for the purpose of imposition of sentence pursuant to his conviction of Possession of a Firearm by a Prohibited Carrier by plea of guilty on January 6, 2022. Adult Probation Officer Andrew Darlington appeared on behalf of the Raleigh County Adult Probation Department.

Whereupon the Court reviewed the report prepared by the Raleigh County Adult Probation Department and addressed the issue of additions or corrections to said report.

The Court, thereupon, offered all parties, including the defendant, an opportunity to speak in open court prior to pronouncement of sentence.

Whereupon, the Court, after having given all parties an opportunity to be heard, is of the opinion and therefore it is the **ORDER** and **JUDGMENT** of the Court that for the defendant's conviction for the felony crime of Possession of a Firearm by a Prohibited Carrier, the defendant is sentenced to five (5) years in the custody of the West Virginia Division of Corrections.

It is further the **ORDER** and **JUDGMENT** of this Court that this sentence be **SUSPENDED**, and the defendant be placed under the supervision of the Raleigh County Adult Probation Department for a period of twelve (12) months.

It is further the **ORDER** and **JUDGMENT** of this Court that the defendant shall be assessed all court costs associated with this matter.

It is further the **ORDER** and **JUDGMENT** of this Court that the defendant is

hereby assessed a fee of five hundred (\$500) dollars for the services of court appointed counsel in this matter.

It is further the **ORDER** and **JUDGMENT** of this Court that the defendant's motion for a stay of the execution of this sentence should be and is hereby **DENIED**.

It is further the **ORDER** and **JUDGMENT** of this Court that any and all firearms seized during the course of this investigation be **DESTROYED** and not returned.

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. The Clerk is further directed to forthwith send an attested copy of this Order via facsimile machine to Diann E. Skiles, Records Manager, West Virginia Division of Corrections, 304.558.8430, Jennifer Ballard, Program Director, West Virginia Division of Corrections, 304.558.8430; and to the Southern Regional Jail, 304.254.2943; and shall forward certified copies of this Sentencing Order to the West Virginia Division of Corrections, 112 California Avenue, Building 4, Room 300, Charleston, West Virginia 25305-0280; Raleigh County Prosecuting Attorney Benjamin Hatfield, and Benjamin Olsen, Esq., defense counsel.

ENTERED this 17th day of February 2022.

/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/](http://www.courtswv.gov/e-file/) for more details.

/s/ Robert A. Burnside, Jr.  
Circuit Court Judge  
Ref. Code: 22JTZ7OVX

COURT OF RALEIGH COUNTY

E-FILED | 3/2/2022 9:17 AM  
CC-41-2021-F-402  
Raleigh County Circuit Clerk  
Paul H. Flanagan

STATE OF WEST VIRGINIA,  
Plaintiff,

v.

CASE NO. 21-F-402

CHARLES ERIC WARD,  
Defendant.

**Order Relieving Counsel and Appointing Public Defender Services Appellate  
Division**

An Affidavit has been filed with this Court reciting that Charles Eric Ward is financially unable to employ counsel for representation in certain proceedings pending before this Court.

After reviewing the Affidavit and considering the matter, the Court has been advised and is of the opinion that the eligibility requirements of West Virginia Code §29-21-1 *et seq.*, are satisfied.

Whereupon, the Raleigh County Public Defender Corporation, Benjamin J. Olsen, Assistant Public Defender, informed the Court that a Notice of Appeal will be filed in this matter, and that the Appellate Division of the West Virginia Public Defender Services is authorized by West Virginia Code §29-21-6(e) to represent the Defendant. Accordingly, Benjamin J. Olsen, Assistant Public Defender, and the Raleigh County Public Defender Corporation, requests that the Court appoint the Appellate Division of West Virginia Public Defender Services.

Based on the argument of counsel, and it appearing proper to do so, it is hereby **ORDERED** that the **APPELLATE DIVISION OF WEST VIRGINIA PUBLIC DEFENDER SERVICES** is appointed to represent the Defendant, Charles Eric Ward in the above-cited matter.

It is **ORDERED** that the clerk of this Court provide certified copies of this Order to Counsel of Record.

**ORDER:**

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

**Prepared by:**

**/s/ Benjamin J. Olsen**  
Benjamin J. Olsen  
Chief Public Defender  
220 N. Kanawha Street, Suite 2  
Beckley, WV 25801  
WV State Bar #13800

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