

In the Circuit Court of Jefferson County, West Virginia

State of West Virginia,
Plaintiff,

vs.)

KRISTAFER AVERY BLECK,
Defendant.

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Case No. CC-19-2017-F-88

SENTENCING ORDER

On April 9, 2018, this matter came before the Court for sentencing. The State of West Virginia appeared by Gregory K. Jones, Assistant Prosecuting Attorney. The Defendant appeared in person and by counsel, Douglas Kobayashi.

The parties acknowledged receipt of the pre-sentence investigation. The defense had an objection to the PSI regarding "Section II, A.", a portion of the PSI referring to the police version of the events and noted as the "official version." The Court denies the Defendant's motion to amend the report. The Court notes that the official version is only a description of the event from the view of law-enforcement. The probation officer who drafted the PSI accurately summarized the criminal complaint for this section. The Defendant has his own opportunity to express his version of the events in Section II, B.

No legal cause to delay sentencing was raised by either the State or the defense.

Whereupon, the Defendant and his counsel were given an opportunity address the Court, make a sentencing recommendation, and present evidence. The State was given the same opportunity.

After considering the pre-sentence investigation, the evidence presented, statements and sentencing recommendations of the parties, the Defendant, Kristafer Avery Bleck, is sentenced as follows:

Count Two	Felony Conspiracy	W.Va. code §61-10-31, a felony,	Not less than one year nor more than five years;
Count Three	Assault in the Commission of a Felony	W.Va. Code §61-2-10, a felony,	Not less than two years nor more than ten years; and
Count Four	Burglary	W.Va. Code §61-3-11a, a felony,	Not less than one year nor more than fifteen years.

It is ordered that the sentences shall run concurrently with each other in a West Virginia Division of Corrections facility.

The Defendant's request for probation is denied. The Court incorporates by reference all findings of facts and conclusions of law made on the record in support of its decision to deny the Defendant's request for probation.

It is ordered that the Defendant pay \$1,236.54 in restitution to Kory Farmer through the Jefferson County Circuit Clerk. The defendant is ordered to pay the restitution and costs of this action within one year of his release from incarceration to the Jefferson County Circuit Clerk located at the physical address of 119 North George St, STE 100, Charles Town, West Virginia, and the mailing address of P.O. Box 1234, Charles Town, WV 25414.

CONVICITON DATE: JANUARY 31, 2018

SENTENCE DATE: APRIL 9, 2018

EFFECTIVE SENTENCE DATE: APRIL 9, 2018

The Defendant is remanded to the custody of the West Virginia Division of Corrections. Until the Division of Corrections takes custody of the Defendant, he will be in the temporary custody of the Regional Jail Authority, but the per diem cost of the Defendant's incarceration shall be paid by the Division of Corrections from the date of sentencing.

The Clerk shall enter this order and send copies of this order to counsel of record, the Eastern Regional Jail, and the West Virginia Division of Corrections. The Clerk shall then remove this matter from the Court's active docket and report it as closed.

/s/ Bridget Cohee
Circuit Court Judge
23rd 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.courtsww.gov/e-file/ for more details.