

Upon review of the pre-sentence investigation report and statements of the parties, and pursuant to Rule 11 of the West Virginia Rules of Criminal Procedure and *Myers v. Frazier*, 173 W.Va. 658, 319 S.E.2d 782 (1984), the Court does **FIND** that the Plea Agreement is consonant with the public interest in the fair administration of justice. Accordingly, the Court does hereby unconditionally **APPROVE** the Plea Agreement, and does unconditionally **ADJUDGE** the Defendant guilty of “**Child Concealment**”, a felony offense as charged in Count 1 of the Indictment in 19-F-83.

Thereafter, the Court did proceed to pronounce the sentence of law against the Defendant, and nothing being offered or alleged in delay of judgment, the Court sentences the Defendant as follows:

1. For the offense of “**Child Concealment**”, a felony offense as charged in Count 1 of the Indictment in 19-F-83, it is **ORDERED** that the Defendant be committed to the custody of the Commissioner of the Division of Corrections for confinement in the penitentiary for a period of not less than one year nor more than five years, therein to be safely kept and treated in all respects in accordance with the law.
2. It is **ORDERED** that the Defendant be given credit for time served in connection with these offenses for any time spent in actual custody.
3. It is **ORDERED** that the imposition and execution of sentence be suspended and the Defendant be placed on probation for a period of four (4) years under the terms and condition of probation attached hereto.
4. There was no restitution ordered in connection with this case.
5. The Court did not order a fine to be paid in this case.
6. The Court **ORDERED** the Defendant to pay the costs of this action.
7. The Court **ORDERED** the Defendant to pay a monthly probation supervision fee in the amount of two dollars and fifty cents (\$2.50).

8. The Court **ORDERED** the Defendant to pay a monthly community corrections fee in the amount of two dollars and fifty cents (\$2.50).

9. The Court **ORDERED** the remaining counts in the Indictment to be **DISMISSED WITH PREJUDICE**.

The Court then advised the Defendant of her right to appeal, including the timeframe under which the Defendant must file her appeal, and that the Defendant would have the right to have her attorney re-appointed to represent him in such an appeal. The Court **ORDERED** the Circuit Clerk to furnish the Defendant with a written statement of the Defendant's post-conviction rights. The Defendant was further advised of her right to file a motion for reconsideration of sentence.

The Defendant is **ORDERED** to report to the Probation Office, or to meet with her Probation Officer, immediately upon the conclusion of this hearing.

The Clerk of this Court shall provide a certified copy of this order to: (1) William E. Longwell, Assistant Prosecuting Attorney; and (2) Roger Lambert, Counsel for the Defendant.

All of which is accordingly **ORDERED**.

Prepared by:

/s/William E. Longwell
William E. Longwell (W.Va. Bar #12290)
Assistant Prosecuting Attorney

/s/ Lora A. Dyer
Circuit Court Judge
5th 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.