

In the Circuit Court of Roane County, West Virginia

State of West Virginia,
Plaintiff,

v.

Case No. CC-44-2021-F-60
Judge Anita Ashley

SEAN ALLEN TAYLOR,
Defendant

SENTENCING ORDER

On January 23, 2023, this case was before the Court for receipt of pre-sentence investigation report and sentencing. The following persons appeared: Joshua W. Downey, Prosecuting Attorney for Roane County, appearing in person; Sean Allen Taylor, the Defendant, appearing in person and by Counsel Ryanne A. Ball from the Public Defender Corporation, appearing in person; and Ella Dillion, Probation Officer, appearing in person.

The Court and all Parties noted receipt of the pre-sentence investigation report prepared by Adult Probation Officer Ella Dillion, dated January 3, 2023. The Parties stated there were no additions or corrections to the pre-sentence investigation report and the same was **ORDERED** filed.

The State advised the Court that the Defendant had a negative drug screen prior to today's hearing.

Based on the pre-sentence investigation report and the argument of counsel, the Court approves the plea agreement in this matter.

Accordingly, upon the plea agreement and the guilty plea tendered to the Court

on November 15, 2022, it is the final judgment of the Court that the Defendant is **GUILTY** of the felony offense of "Driving Revoked for DUI, Third Offense," as charged in Count 1 of indictment herein.

The Court then afforded counsel for the Defendant the opportunity to speak on behalf of the Defendant and addressed the Defendant personally and asked him if he wished to make a statement on his own behalf and/or to present any information in mitigation of punishment. The State, pursuant to the plea agreement in this matter, remained silent.

Based on the foregoing, the Court sentences the Defendant as follows:

The Court **ORDERS** that upon the Defendant's conviction of the felony offense of "Driving Revoked for DUI, Third Offense," the Defendant is **ORDERED** into the custody of the W.Va. Division of Corrections and Rehabilitation to therein to be safely kept and in all respects in accordance with the law to serve a sentence of Not Less Than One (1) Year Nor More Than Three (3) Years.

The Court **ORDERS** that the Defendant shall pay a fine in the amount of Three Thousand Dollars (\$3,000.00).

The Court **ORDERS** that the Defendant shall receive a total credit for jail time served in this matter in the amount of One (1) day.

It was further **ORDERED** that the Defendant shall pay the mandatory costs assessed by the Circuit Clerk in this matter, and the State of West Virginia is granted a judgment for these costs as further and fully reflected upon the final taxation of the costs prepared by the Circuit Clerk. The Court **ORDERS** all payments made by the Defendant shall be assessed against restitution prior to being assessed against Court

Costs.

The Court **ORDERS** that the bond in this matter is hereby released.

The Court **ORDERS** that all remaining charges in this matter are hereby **DISMISSED**.

The Court, on the record, advised the Defendant of his right to appeal. The Defendant's counsel reviewed with the Defendant a Statement of Post-Conviction Rights. The Defendant signed the statement and it is **ORDERED** lodged in the file as evidence that the Defendant has been so advised of these post-conviction rights. The Court notes that the Defendant was personally present throughout all stages of proceedings.

The Court **ORDERS** the Appellate Division of Public Defender Services is appointed to represent the Defendant in any appeal.

The Court **REMANDS** the Defendant into the custody of the Central Regional Jail to await assignment by the WV Division of Corrections and Rehabilitation.

Finally, the Court **ORDERS** that the Clerk of this Court shall provide an attested copy of this Order to: (1) Joshua W. Downey; (2) RYANNE A. BALL; (3) Ella Dillion, Roane County Probation; (4) Central Regional Jail; (5) WV Division of Corrections and Rehabilitation; (6) Mary Ashby: WVDOCR-Parole Division (Please Fax to: 1-304-558-0441); and (7) Public Defender Services (304-558-1098).

/s/ Anita Harold Ashley
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.courtswv.gov/e-file/ for more details.