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IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA
Plaintiff,

Vs.

INDICTMENT NO. 21-F-209
JUDGE Gregory L. Howard Jr.

NATHAN ALLEN DOLEN,
Defendant.

SENTENCING ORDER

On this the 13th day of February, 2023, came the defendant in person and by counsel, W. Michael Frazier and Dru Frazier, and also came the State of West Virginia by Tyler Shoub and Lauren Plymale, Assistant Prosecuting Attorney, Cabell County, West Virginia, for sentencing pursuant to the defendant having previously been found guilty to the felony offense of "Entry of a Building other than a Dwelling" as contained in Count I of Indictment No. 21-F-209, to the felony offense of "Grand Larceny" as contained in Count II of Indictment No. 21-F-209, to the felony offense of "Burglary" as contained in Count III of Indictment No. 21-F-209, to the felony offense of "First Degree Robbery" as contained in Count IV of Indictment No. 21-F-209, to the felony offense of "First Degree Robbery" as contained in Count V of Indictment No. 21-F-209, to the felony offense of "Attempted First Degree Murder" as contained in Count VI of Indictment No. 21-F-209, to the felony offense of "Malicious Assault" as contained in Count VII of Indictment No. 21-F-209, to the felony offense of "Kidnapping" as contained in Count IX of Indictment No. 21-F-209, to the felony offense of "Kidnapping" as contained in Count X of Indictment No. 21-F-209, to the felony offense of "Use or Presentment of a Firearm during the Commission of a Felony" as contained in Count XI of Indictment No. 21-F-209, to the felony offense of "Grand Larceny" as contained in Count XII of Indictment No. 21-F-209, to the felony offense of "Third Degree Arson" as contained in in Count XIII of Indictment No. 21-F-209, and the defendant was found to have used a firearm in the commission of the offense of "First Degree Robbery" as contained in Count IV of Indictment No. 21-F-209.

Upon addressing counsel for the defendant, the Court determined that the defendant and his counsel have had the opportunity to participate in the presentence investigation and have read and discussed the report thereof made available to them pursuant to Rule 32(b) of the West Virginia Rules of Criminal Procedure. Further, the Court determined that there are no unresolved objections to said presentence report.

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 in his own behalf and/or to present any information in mitigation of punishment.

The Court was then addressed by the victim(s) in this matter.

Thereafter, the Court then demanded of the said Nathan Allen Dolen if he had or knew anything to say why the Court should not proceed to pronounce the sentence of the law against him, and nothing being offered or alleged in delay of judgment, it is ORDERED that the defendant be committed to the custody of the Division of Corrections as stated below:

Count I – not less than one (1) year nor more than ten (10) years,
Count II – not less than one (1) year nor more than ten (10) years,
Count III – not less than one (1) year nor more than fifteen (15) years,
Count IV – a period of twenty (20) years,
Count V – a period of twenty (20) years,
Count VI – not less than three (3) nor more than fifteen (15) years,
Count VII – not less than two (2) nor more than ten (10) years,
Count IX – a period of life with mercy,
Count X – a period of life with mercy,
Count XI – a period of ten (10) years,
Count XII – not less than one (1) year nor more than ten (10) years,
Count XIII – a period of one (1) year.

Said sentences on Counts IV, V, IX, and X shall run consecutive to each other and concurrent to all other counts.

It appearing to the Court that the bond previously posted in this matter is no longer required, it is hereby ORDERED that the Clerk of the Circuit Court deduct from said bond any court ordered fines and court costs and return the remainder of said cash bond to the surety. In


the event that a property bond was posted in this matter, upon discharge and release of said bond, the clerk of this court shall provide a certified copy of said release to the county clerk of Cabell County for filing therein.

The Clerk of this Court is hereby directed to provide a certified copy of this order to all counsel of record, the Division of Corrections, the Western Regional Jail, and to the Cabell County Probation Department.

There being nothing further to be done in this matter, it is hereby removed from the active docket of the Court.

ENTER
ORDER: /s/ GREGORY L. HOWARD, JR.
Gregory L. Howard Jr., Circuit Judge

PREPARED FOR ENTRY:




Tyler Shoub, SB# 13462
Assistant Prosecuting Attorney
Cabell County Courthouse
750 5th Avenue, Suite 350
Huntington, WV 25701
(304) 526-8653

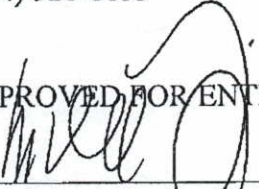
STATE OF WEST VIRGINIA
COUNTY OF CABELL

I, MICHAEL J. DELFEL, CLERK OF THE CIRCUIT
COURT FOR THE COUNTY AND STATE AFORESAID
DO HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE COPY FROM THE RECORDS OF SAID COURT
ENTERED ON 4/25/03

GIVEN UNDER MY HAND AND SEAL OF SAID COURT
THIS _____


MICHAEL J. DELFEL, CLERK
CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

APPROVED FOR ENTRY:



W. Michael Frazier, SB#1287
Counsel for Defendant