

In the Circuit Court of Jefferson County, West Virginia

STATE OF WEST VIRGINIA,
Plaintiff,

v.

Case No. CC-19-2002-F-43
Judge David Hammer

RICHARD WILLIAM PAGE,
Defendant

Order Accepting Defendant's Plea and Imposing Sentence

This matter came before this Court on the 12th day of July, 2023, for a status hearing on the Defendant's previously entered plea of guilty. The State of West Virginia appeared by Neil J. Zahradnik, Assistant Prosecuting Attorney for Jefferson County, and the Defendant appeared in person and with counsel, J. Daniel Kirkland, Esq.

The Court noted that the Defendant had previously appeared before the Court on February 21st, 2003, and entered a plea of guilty to the felony offense of Burglary. The Court did not accept the plea at the time but deferred further proceedings until a presentence investigation report could be prepared. The Court further explained that prior to the sentencing date, the Defendant became incarcerated in another jurisdiction and subsequently failed to appear at his sentencing hearing. The Court further stated that a capias warrant was issued for the Defendant's arrest and remained pending until the Defendant was arrested and brought before this Court earlier this year.

Thereafter, the Court indicated that based upon its review of its case file and the presentence investigation prepared by the probation department, it was inclined to accept the Defendant's previously tendered plea of guilty.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Defendant's plea of **GUILTY** as to the felony offense of Burglary is hereby accepted by this Court, and the Defendant, Richard William Page, now stands convicted of the same by virtue of his

plea.

Thereafter the Court proceed to sentence the Defendant in accord with the previously entered plea agreement

Accordingly, it is **ORDERED** that upon his conviction for the felony offense of Burglary, the Defendant is hereby sentenced to an indeterminate term of not less than (1) nor more than fifteen years in the penitentiary house of this state..

It is further **ORDERED** that the Defendant's penitentiary sentence shall be suspended in favor of five (5) years of supervised probation.

It is further **ORDERED** that during his period of supervised probation, the Defendant shall be subject to the standard terms and conditions of probation.

It is further **ORDERED** and **ADJUDGED** that pursuant to W.Va. § 62-4-17(2), the Defendant shall enroll in a payment plan to pay his Court costs within sixty days (60) days of today's hearing.

It is further **ORDERED** and **ADJUDGED** that all remaining counts of the Indictment are **DISMISSED** pursuant to the plea agreement.

Finally, the Court informed the Defendant of his right appellate rights on the record and appointed J. Daniel Kirkland, Esq. for appellate purposes should the Defendant qualify financially for said appointment.

The Court notes the Defendant's objection for the record.

This matter is now concluded and shall be retired from the Court's active docket. The CLERK OF THE COURT shall enter this order as of the day and date first above written and transmit attested copies to all counsel of record and the Jefferson County Probation Department.

/s/ David M. Hammer
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.courtswv.gov/e-file/ for more details.