

In the Circuit Court of Harrison County, West Virginia

State of West Virginia,
Plaintiff,

SCA EFiled: Sep 27 2023
01:34PM EDT
Transaction ID 70967931

v.

Case No. CC-17-2022-F-207
Judge James A. Matish

JEFFREY JOHN PAGLIA AKA 1197,
Defendant

**ORDER FOLLOWING HEARING ON POST-TRIAL MOTIONS/SENTENCING
ORDER/ORDER FILING UNDER SEAL PRESENTENCE INVESTIGATION REPORT,
DRUG AND ALCOHOL ASSESSMENT/HOME INCARCERATION INVESTIGATION
REPORT AND LETTERS IN SUPPORT OF THE DEFENDANT**

On the 23rd day of August, 2023, came the State of West Virginia by Gina M. Renzelli, Assistant Prosecuting Attorney for Harrison County, West and came also the defendant, Jeffrey John Paglia, a/k/a Jeffrey Paglia, a/k/a Jeffery Paglia, a/k/a Jeffrey J. Paglia, in person and by his counsel, C. Matthew Hickman, Esquire. Also present for said proceedings were Officer William Townsend of the Bridgeport Police Department, Heidi Leaseburge, Probation Officer, Mark E. Waggamon, Sr., Home Incarceration Officer and the Honorable James A. Matish, presiding. All parties were present in person with the exception of Gina M. Renzelli, who appeared electronically via Microsoft Teams, with permission from the Court and without objection, for post-trial motions hearing and sentencing in this matter.

Whereupon, the Court reviewed the procedural history of the above captioned matter for the record.

Thereupon, the Court addressed the defendant's *Motion for Judgment of Acquittal, or, in the Alternative, Defendant's Motion for New Trial.*

Thereupon, counsel for the defendant addressed the Court regarding the *Motion for Judgment of Acquittal, or, in the Alternative, Defendant's Motion for New Trial.*

Thereupon, counsel for the State addressed the Court regarding the *Motion for Judgment of Acquittal, or, in the Alternative, Defendant's Motion for New Trial*.

Thereupon, the Court after hearing the arguments of counsel does **DENY** defendant's *Motion for Judgment of Acquittal, or, in the Alternative, Defendant's Motion for New Trial*.

Thereupon, the Court acknowledged receipt of the Presentence Investigation Report, dated July 25, 2023, prepared by Heidi Leaseburge, the Drug and Alcohol Assessment Report, dated July 28, 2023, prepared by Rebecca S. Keller, Case Manager, the Home Incarceration Investigation Report, dated August 10, 2023, prepared by Mark E. Waggamon, Sr., and the Letters of Support for the Defendant.

Whereupon, counsel for the State represented unto the Court that she had received and reviewed a copy of the Presentence Investigation Report, the Drug and Alcohol Assessment Report, the Home Incarceration Investigation Report and the Letters of Support for the defendant and desired no corrections or modifications to the same.

Thereupon, counsel for the defendant represented to the Court that they had received and reviewed a copy of the Presentence Investigation Report, the Drug and Alcohol Assessment Report, the Home Incarceration Investigation Report and the Letters of Support for the defendant and reviewed the same with his client and advised that the defendant had no objections, corrections or modifications to the same.

The Court, thereupon, **ORDERED** that the Presentence Investigation Report, prepared by Heidi Leaseburge, the Drug and Alcohol Assessment Report, prepared by Rebecca S. Keller, Case Manager, the Home Incarceration Investigation Report, prepared by Mark E. Waggamon, Sr., and the letters of support for the defendant, shall be **FILED** and **SEALED** and made a part of the record in this matter.

Thereupon, counsel for the defendant presented the testimony of Jim Glaspell and Don Knotts, and rested.

Whereupon, counsel for the defendant addressed the Court regarding sentencing.

Thereupon, counsel for the State addressed the Court regarding sentencing.

Whereupon, the Court advised the defendant of his right to allocution, and the defendant, Jeffrey John Paglia, a/k/a Jeffrey Paglia, a/k/a Jeffery Paglia, a/k/a Jeffrey J. Paglia, addressed the Court.

Nothing further being offered in delay of judgment herein with regard to the defendant's finding of guilty of the felony offense of Grand Larceny as contained in Count One of the Indictment in this case, it was **ORDERED** by the Court that said defendant, Jeffrey John Paglia, a/k/a Jeffrey Paglia, a/k/a Jeffery Paglia, a/k/a Jeffrey J. Paglia, be committed to the custody of the Commissioner of the West Virginia Division of Corrections for an indeterminate term of not less than one (1) year, nor more than ten (10) years from the 18th day of August, 2023, thereby giving the defendant credit for five (5) days time previously served.

Nothing further being offered in delay of judgment herein with regard to the defendant's finding of guilty of the felony offense of Conspiracy to Commit Grand Larceny as contained in Count Two of the Indictment in this case, it was **ORDERED** by the Court that said defendant, Jeffrey John Paglia, a/k/a Jeffrey Paglia, a/k/a Jeffery Paglia, a/k/a Jeffrey J. Paglia, be committed to the custody of the Commissioner of the West Virginia Division of Corrections for an indeterminate term of not less than one (1) year, nor more than five (5) years. It was further **ORDERED** that said sentence in Count Two of the Indictment shall run **concurrently** with the sentence in Count One of the Indictment.

Whereupon, the Court advised that in sentencing the defendant it noted that the defendant had a prior federal felony conviction, twelve prior misdemeanor convictions, prior alternative sentence violations, tried to contest his prior criminal history, was not cooperative with the Harrison County Day Report Center in preparation of the Drug and Alcohol Assessment, did not accept responsibility in his version of events in the Presentence Investigation Report, that the State did not file a Recidivist Information, and that the defendant was on federal supervised release when these offenses took place.

Thereupon, the Court **ORDERED** that the defendant pay the costs of this proceeding and that the State of West Virginia have a judgment against him for the costs , including the jury fee, and that the same be paid within 6 months of the discharge of his sentence or after being placed upon parole, whichever occurs first and there is no restitution due in this matter.

Whereupon, the Court advised the defendant of his rights with respect to appeal.

Thereupon, the defendant was remanded to the custody of the North Central Regional Jail to await transfer to the West Virginia Division of Corrections.

COUNT ONE OFFENSE: GRAND LARCENY
TERM: 1-10

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| CONVICTION DATE: | JULY 11, 2023 |
| SENTENCE DATE: | AUGUST 23, 2023 |
| EFFECTIVE SENTENCE DATE: | AUGUST 18, 2023 |

COUNT TWO OFFENSE: CONSPIRACY TO COMMIT GRAND LARCENY
TERM: 1-5

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|--------------------------|-----------------------------------------------------------------------------------------------------------|
| CONVICTION DATE: | JULY 11, 2023 |
| SENTENCE DATE: | AUGUST 23, 2023 |
| EFFECTIVE SENTENCE DATE: | TERM OF IMPRISONMENT ON COUNT TWO IS TO RUN CONCURRENTLY TO TERM OF IMPRISONMENT ON COUNT ONE |

It was further **ORDERED** that the Clerk of this Court transmit a copy of this

Order, duly certified, to the following parties:

Gina M. Renzelli, Esq.
Assistant Prosecuting Attorney
Third Floor, Courthouse
301 West Main Street
Clarksburg, West Virginia 26301

C. Matthew Hickman, Esq.
P.O. Box 7
Fairmont, West Virginia 26555

Harrison County Probation Office
Sixth Floor, Courthouse
301 West Main Street
Clarksburg, West Virginia 26301

North Central Regional Jail
and Correctional Facility
1 Lois Lane
Greenwood, West Virginia 26415

West Virginia Division of Corrections
1409 Greenbrier Street
Charleston, West Virginia 25311
Attn: Diane Skiles

PREPARED BY:

APPROVED AS TO FORM BY:

/s/ Gina M. Renzelli
GINA M. RENZELLI, W.Va. Bar #11233
Assistant Prosecuting Attorney

MATTHEW HICKMAN, W.V. Bar #12747
Counsel for Defendant

/s/ James A. Matish
Circuit Court Judge
15th 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.courtswwv.gov/e-file/ for more details.