

In the Circuit Court of Berkeley County, West Virginia

State of West Virginia,
Plaintiff,

v.

Case No. CC-02-2022-F-31
Judge Laura Faircloth

Rida Shahid Hendershot,
Defendant

SENTENCING ORDER

This matter came before the Court on the 9th day of August, 2023, for a sentencing hearing. The State appeared by Berkeley County Prosecuting Attorney Catie Wilkes Delligatti and Senior Assistant Prosecuting Attorney Joseph Kinser. The Defendant appeared in person and by counsel, Brett Basham, Esq.

The Court first heard argument on the Defendant's motion for judgment of acquittal and motion for new trial. The Court DENIED the Defendant's motions for reasons set forth more fully on the record during prior hearings.

The parties advised the Court that they received the pre-sentence investigation report prepared by Chief Probation Officer Sean Bryner. There were no corrections or objections to the report.

The Court then inquired if there was any lawful reason that the matter should not proceed to sentencing. Hearing no objection, the Court heard argument from the parties. The Defendant gave a lengthy statement on her own behalf. Further, family members of the victim provided victim impact statements to the Court and the Court heard from several family members of the Defendant.

Based upon the arguments of counsel, letters on behalf of the Defendant, victim impact statements, the statement of the Defendant, and the pre-sentence investigation

report, the Court SENTENCES the Defendant as follows:

Upon the Defendant's conviction for Second Degree Murder, it is the sentence of the law and the judgment of the Court that the Defendant be confined in the penitentiary house of this State for a period of forty (40) years, there to be dealt with according to law.

Upon the Defendant's conviction for Use of a Firearm in the Commission of a Felony, it is the sentence of the law and the judgment of the Court that the Defendant be confined in the penitentiary house of this state for a period of ten (10) years, there to be dealt with according to law.

It is further ORDERED that these sentences shall run consecutively to one another for an aggregate sentence of fifty (50) years.

Restitution is stayed for ninety (90) days so that the amount of restitution and to whom it is payable may be determined. Specifically, the Court wants to determine if the Crime Victim's Compensation Fund will provide any funds towards restitution.

Accordingly, the matter is scheduled for a hearing to determine restitution on the November 14, 2023, at 10:30 a.m.

It is further ORDERED that the State recover from the Defendant all costs in this matter within two (2) years of her release from incarceration unless the Defendant should have funds available while in Division of Corrections and Rehabilitation custody for payment toward costs. If so, the same may be deducted from the Defendant's account pursuant to WV Code § 15A-4-11(c)(1).

The Court then advised the Defendant of her appellate rights. The Court further appointed Jonathan O'Dell, Esq., of the Public Defender Appellate Division, for the purposes of prosecuting an appeal.

Conviction Date: February 13, 2023

Sentencing Date: August 9, 2023

Effective Sentencing Date: June 20, 2021

The Clerk shall transmit copies of this Order to all counsel of record and to the Probation Department.

Prepared by:

/s/ Joseph Kinser
Joseph Kinser, S.A.P.A. 11820

/s/ Laura Faircloth
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.