

In the Circuit Court of Cabell County, West Virginia

State of West Virginia,
Plaintiff,

v.

Case No. CC-06-2020-F-226
Judge Gregory L. Howard

MICHAEL LANE PINKERMAN,
Defendant

SENTENCE ORDER

On March 11, 2024, this matter came before the Honorable Gregory L. Howard, this matter having been set for sentencing on this date. There appeared the State of West Virginia by Steven M. Bragg, Special Prosecuting Attorney for Cabell County, and the Defendant, Michael Lane Pinkerman, by video from the Western Regional Jail and by counsel, Thomas Peyton.

Thereupon, the Defendant was advised of the right to appear before the Court in person for this hearing and the Defendant, after consulting with counsel, waives that right and agrees to appearing by video for this hearing.

It is **ADJUDGED** that the Defendant has been convicted of the offense of Obstructing an Officer, a misdemeanor, as charged and contained in Count Six (6) of the Indictment, and the Court, having inquired of the Defendant whether he has anything to say why sentence should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court, it is **ADJUDGED** that the Defendant is guilty as charged.

Thereupon, the Court proceeded to pronounce sentence and ascertained and fixed the same at commitment to the custody of the West Virginia Regional Jail & Correctional Facility Authority for confinement for a period of twelve (12) months.

It is, therefore, **ORDERED** that the Defendant, Michael Lane Pinkerman, be committed to the custody of West Virginia Regional Jail & Correctional Facility

Authority for confinement for a period of twelve (12) months, and Defendant, Michael Lane Pinkerman, is hereby remanded to the custody of the West Virginia Regional Jail & Correctional Facility Authority to serve the sentence imposed herein.

It is further **ORDERED** that the Defendant shall have credit for 56 days toward the sentence imposed herein.

Thereupon, the State of West Virginia, by counsel, advised the Court that the State has elected to not pursue retrial of the charges of Attempted First Degree Murder of Cpl. James Johnston, a felony, as charged and contained in Count One (1) of the Indictment, and Attempted First Degree Murder of Deputy Jared Cremeans, a felony, as charged and contained in Count Two (2) of the Indictment. As such, the State of West Virginia, by counsel, moved to dismiss the charges of Attempted First Degree Murder of Cpl. James Johnston, a felony, as charged and contained in Count One (1) of the Indictment, and Attempted First Degree Murder of Deputy Jared Cremeans, a felony, as charged and contained in Count Two (2) of the Indictment. After due consideration, the Court is of the opinion to grant such motion.

It is, therefore, **ORDERED** that the charges of Attempted First Degree Murder of Cpl. James Johnston, a felony, as charged and contained in Count One (1) of the Indictment, and Attempted First Degree Murder of Deputy Jared Cremeans, a felony, as charged and contained in Count Two (2) of the Indictment, are hereby dismissed with prejudice.

It is further **ORDERED** that the Defendant shall pay the costs of this action as set forth in the Taxation of Costs filed by the Clerk in this matter. Such costs shall be paid, or shall be subject to a payment plan, to the Circuit Court Clerk of Cabell County, West Virginia, within 180 days of the date of this Order. **FAILURE TO PAY THE COSTS INCURRED, OR FAILURE TO ABIDE BY THE PAYMENT PLAN AS SET FORTH ABOVE, SHALL RESULT IN THE ENTRY OF A JUDGMENT LIEN AGAINST DEFENDANT OR OTHER LAWFUL PROCESS.** No further or additional notice shall be provided to the Defendant regarding the payment of costs.

It is further **ORDERED** that the bond set/posted in this matter is hereby rescinded/released.

It is further **ORDERED** that any and all outstanding arrest warrants issued in this matter are hereby rescinded and set aside, and any and all outstanding and/or unexecuted arrest warrants shall be returned to the Office of the Clerk of the Circuit Court of Cabell County, West Virginia.

It is further **ORDERED** that the Clerk for the Circuit Court of Cabell County shall provide a certified copy of this Order to Steven M. Bragg, Special Prosecuting Attorney for Cabell County, West Virginia, to Thomas Peyton, counsel for the Defendant, to the Sheriff of Cabell County, West Virginia, and to the Western Regional Jail.

It is further **ORDERED** that counsel for Defendant shall insure that the Defendant receives a copy of this Order and is thus informed as to payment of costs.

All, accordingly, which is **ORDERED** and **DECREED**.

/s/ Gregory Howard
Circuit Court Judge
6th 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.