

In the Circuit Court of Boone County, West Virginia

State of West Virginia,
Plaintiff,

v.

Case No. CC-03-2022-F-28
Judge Stacy L. Nowicki-Eldridge

KEVIN SCOTT DICKENS,
Defendant

Sentencing Order

On the 25th day of April 2023, appeared the State of West Virginia by Francis M. Curnutte, III, Assistant Prosecuting Attorney for this County, and appeared the defendant, Kevin Dickens, in person and with, Parker Bazzle, counsel for defendant, this day having been set for a sentencing hearing. Also present was Jerry L. Swanson, Chief Probation Officer. The parties appeared in person for the sentencing hearing for the Felony Offense of “Voluntary Manslaughter” [W. Va. Code § 61-2-4].

Upon calling the matter on the docket, the Court, before imposing sentence, determined that the Defendant and his counsel have had the opportunity to read and discuss the pre-sentence investigation report submitted by the Chief Probation Officer.

No objections were made pursuant to the Rules of Criminal Procedure.

No additions, modifications, or deletions were noted.

Whereupon, the Court, afforded the Defendant the opportunity to present evidence, afforded the defense counsel the opportunity to speak on behalf of the Defendant and asked the Defendant personally if he wished to make a statement on his own behalf and to present evidence in mitigation of punishment. The defendant did speak on his own behalf and apologized to the victim’s family on record.

The Court then allowed Counsel for the State, Francis M. Curnutte, III, an opportunity to

address the Court and make a statement. The Court then allowed the family of the victim to address the Court and to relate to the Court the impact that the death of Jeremy Peters had on the family. The Court permitted the victims family to express their opinions about what a proper sentence should be.

Pursuant to the previous finding of guilt, it is ORDERED that the Defendant be committed to the custody of the West Virginia Division of Corrections and Rehabilitation for a period of fifteen (15) years.

It is further ORDERED

1. That the defendant be given credit for all time served of 512 days with an effective sentencing date of April 25th, 2023.
2. That the Defendant pay \$10,000.00 restitution to the West Virginia Crime Victims Compensation Fund.
3. That the Clerk is directed to furnish a copy of this Order to counsel for defendant; the Southwestern Regional Jail; to the WVSP Danville Detachment; and to the Prosecuting Attorney for this County upon entry thereof.

The Defendant is remanded into Custody.

All of which is ADJUDGED, ORDERED, and DECREED.

PRESENTED BY:

/s/ Francis M. Curnutte, III
Francis M. Curnutte, III WV Bar# 905
Assistant Prosecuting Attorney of Boone County
200 State Street, Suite 304
Madison, West Virginia 25130
(304) 369-7380

/s/ Stacy L. Nowicki-Eldridge
Circuit Court Judge

25th 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.