

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,
PLAINTIFF,

vs.

CASE NO.: 22-F-5 DJS

WILLIAM ROSS CARMAN,
DEFENDANT.

SENTENCING ORDER

On the 8th day of November, 2023, came the State of West Virginia, by and through Assistant Prosecuting Attorney, Shawn R. Turak, as well came the Defendant, William Carman, in person and by and through his counsel, Nicholas Yovich, Assistant Public Defender, and Martin Sheehan, Esquire, this day and time having been set for a Sentencing Hearing.

WHEREUPON, in response to inquiry from the Court, counsel for the Defendant and the State confirmed for the Court that each party had received the Pre-Sentencing Investigation Report.

THEREUPON, counsel for the Defendant confirmed for the Court that the Defendant that there were no corrections, modifications or additions to the Pre-Sentence Investigation Report requested by the Defendant.

WHEREUPON, the Court did extend to the Defendant his right to make a statement to the Court as to anything he wanted the Court to taken into consideration before sentencing.

THEREUPON, counsel for the Defendant advised the Court that the Defendant maintained his innocence and therefore declined to exercise his right of allocution.

WHEREUPON, counsel for the Defendant addressed the Court regarding sentencing.

THEREUPON, Jane Hafer, the mother of the decedent, was permitted to address the Court regarding sentencing, followed by counsel for the State.

WHEREUPON, the Court did spread upon the record the rationale behind the Court's sentencing and did

ORDER that the Defendant, William R. Carman, shall serve not less than one (1) nor more than fifteen (15) years in the custody of the West Virginia Department of Corrections as a result of his conviction for "Burglary" as contained in Count One of the Indictment. The Court does further

ORDER that Defendant William R. Carman shall serve life without mercy in the custody of the West Virginia Department of Corrections as a result of his conviction for "First Degree Murder" as contained in Count Two of the Indictment. It is further

ORDER that the Defendant, William R. Carman, shall serve a determinate sentence of seventy-five (75) years in the custody of the West Virginia Department of Corrections as a result of his conviction for "First Degree Robbery" as contained in Count Three of the Indictment. The Court does further

ORDER that the Defendant, William R. Carman, shall serve not less than one (1) nor more than five (5) years in the custody of the West Virginia Department of Corrections as a result of his conviction for "Gross Child Neglect Creating Risk of Serious Bodily Injury or Death" as contained in Count Four of the Indictment. The Court does further

ORDER that the Defendant, William R. Carman, shall serve not less than one (1) nor more than five (5) years in the custody of the West Virginia Department of Corrections as a result of his conviction for "Gross Child Neglect Creating Risk of Serious Bodily Injury or Death" as contained in Count Five of the Indictment. The Court does further

ORDER that the sentences shall run consecutive for a net effective sentence of Life Without Mercy plus not less than seventy-eight (78) nor more than one hundred (100) years. The Court does further

ORDER that the Defendant shall receive credit for all time served with an effective sentence date of September 17, 2021. The Court does further

ORDER that the Defendant, William R. Carman, upon release shall register as a Child and Abuse Offender with the West Virginia State Police for ten (10) years. The Court does further

ORDER that the Defendant, William R. Carman, shall be placed on Supervised Release for a period of twenty-five (25) years following his release from incarceration.

THEREUPON, the Court did review with the Defendant, William Carman, the Notice and Acknowledgement of Child Abuse and Neglect Offender Registration Requirements and the First Judicial Circuit Court Adult Supervised Release Terms.

THEREUPON, the Defendant read, reviewed, and indicated he understood and did execute in the presence of his counsel in open Court the Notice and Acknowledgement of Child Abuse and Neglect Offender Registration Requirements and the First Judicial Circuit Court Adult Supervised Release Terms. The Court did then further

ORDER that all the above originally executed documents, to wit, the Notice and Acknowledgement of Child Abuse and Neglect Offender Registration Requirements and the First Judicial Circuit Court Adult Supervised Release Terms shall be **FILED** and made part of the Court=s record. The Court did then further

ORDER that the Circuit Clerk, within 72 hours of entry of this Sentencing Order, SHALL send copies of the (1) Notice and Acknowledgement of Child Abuse and Neglect Offender Registration Requirements form; and a certified copy of this

Sentencing Order to: Sex Offender Registry, West Virginia State Police, 725 Jefferson Road, South Charleston, West Virginia 25309. It is further

ORDERED that the Defendant, William R. Carman, shall pay Court costs but that no fines shall be imposed. The Court did further

THEREUPON the Court did advise the Defendant of his appeal rights as it pertains to the sentence imposed by the Court, providing him with a copy of the Notice of Post-Conviction Rights and the Defendant, William R. Carman, indicated that he understood. There being nothing further, the Court did then

ORDER that the Defendant be remanded to the custody of the Department of Corrections. The Court did further

ORDER that the Clerk of the Circuit Court of Ohio County is to provide an attested copy of this Order to all counsel of record, the West Virginia State Police, and the West Virginia Department of Corrections.

Enter this 21st day of November, 2023.

/s/ David J. Sims
Circuit Court Judge
1st 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.

PREPARED BY:

/s/ Shawn R. Turak
Shawn R. Turak
Assistant Prosecuting Attorney
Ohio County, West Virginia