

## IN THE CIRCUIT COURT OF GILMER COUNTY, WEST VIRGINIA

FILED

2006 DEC 22 AM 10:26

STATE OF WEST VIRGINIA

LANE SMITH  
CIRCUIT CLERK  
GILMER COUNTY, WV

vs.

Criminal Case No. 05-F-8

DANIEL A. BINGMAN

ORDER

On the 14<sup>th</sup> day of December, 2005, the defendant, Daniel Bingman, was found guilty in a jury trial of the misdemeanor offense of petit larceny. On the 27<sup>th</sup> day of February, 2006, the defendant appeared before the Court and was sentenced to one year in the Central Regional Jail and the sentence was suspended and the defendant was admitted to five (5) years probation under certain terms and conditions. Thereafter, the defendant announced to the Court that he intended to appeal his conviction to the WV Supreme Court of Appeals and requested the Court to stay execution of the Sentence pending appeal. The Court by its Order of the 27<sup>th</sup> day of February, 2006, did grant the defendant's Motion to stay the execution of the sentence and the sentence was stayed pending the outcome of the defendant's appeal. The Court permitted the defendant remain on the bond heretofore posted under specific terms and conditions.

It is hereby ORDERED that the terms and conditions of bond shall be amended to include the following:

1. That the defendant shall answer all reasonable inquiry of the Probation Officer and be truthful to the Probation Officer.

2. That the defendant shall provide the Probation Officer of this Court with the names of his Internet providers and any Internet accounts that he may have.

3. That the defendant shall provide to the Probation Officer a list any and all e-mail accounts that he has in his name, any fictitious name, or any alias.

4. That the defendant shall provide to the Probation Officer of this Court a list any and all web pages or web sites that he owns, maintains, or has created.

5. That it is hereby Ordered that the Clerk of this Court shall provide a certified copy of this Order to the Prosecuting Attorney of Gilmer County, to the defendant's Counsel, and to the Probation Division of this Court. It is further Ordered that the Probation Officer of this Court shall provide the defendant with a copy of this Order and explain the requirements and terms and conditions of said Order to the defendant. It is further ordered that the Probation Officer shall contact the defendant and forthwith obtain from the defendant the information contained in this Order.

6. The Court notes and preserves all parties objections and exceptions to the Court's Order.

It is accordingly so Ordered.

ENTERED this the 22<sup>nd</sup> day of December, 2006

*[Handwritten Signature]*  
RICHARD A. FACEMIRE, JUDGE  
12/22/06

STATE OF WV  
COUNTY OF GILMER, to-wit:

I, Karen Elkin, Clerk of the Circuit Court and Family Court of Gilmer County, do hereby certify that the foregoing is a true copy of an order entered in the above styled action on the 22<sup>nd</sup> day of Dec, 2006.

Given under my hand and official seal this the 6<sup>th</sup> day of March, 2013.

*[Handwritten Signature: Karen Elkin]*  
Clerk of the Circuit Court

By \_\_\_\_\_  
Deputy Circuit Court Clerk

*Amended Order Book 21, pg 164 12/22/06. 0*

Karen Elkin, Circuit Clerk  
Gilmer County Court House  
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Glennville, WV 26351

Daniel Bingman  
130 Hollywood Avenue  
Cuyahoga Falls, OH 44221



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