UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v. CRIMINAL ACTION NO. 2:23-00123

SEAN PATRICK BOYD, JR.

O R D E R

On the 21st day of November 2023, the United States of America appeared by Jonathan T. Storage, Assistant United States Attorney, and the defendant appeared in person and by Emily Szopinski, Assistant Federal Public Defender.

Counsel for the United States presented to the court the plea agreement between the United States and the defendant, which plea agreement is ORDERED filed.

The defendant informed the court that he wished to withdraw his plea of NOT GUILTY to the single-count indictment in this action and enter the plea of guilty to that count. After the court explained to him the charge contained in the single-count indictment, the defendant withdrew his plea

of NOT GUILTY and entered the plea of GUILTY as charged in the single-count indictment.

Before accepting the plea, the court personally addressed the defendant pursuant to Rule 11, Federal Rules of Criminal Procedure, and informed the defendant of the nature of the charge contained in the single-count indictment, the elements of the offense and the rights to which the defendant is entitled.

The court being satisfied from the admissions of the defendant that a factual basis exists for the plea, and further that the plea was made voluntarily and that the defendant understands the nature of the charge, the elements of the offense, the mandatory minimum penalty, if any, and the maximum possible penalty provided by law for the offense to which the plea is offered, and the terms of and waivers in the plea agreement, defendant's plea is hereby accepted and the written plea of guilty executed by the defendant in the presence of the court is ORDERED filed.

Accordingly, IT IS ADJUDGED that the defendant, upon his plea of GUILTY, is hereby found guilty and convicted of one

violation of Title 18, United States Code, Section 2315, as charged in the single-count indictment.

The court advised the defendant that it accepted the plea agreement, having found that the agreement protects the rights of the defendant and is in the best interests of justice.

It is ORDERED that the Probation Department of this court shall conduct a presentence investigation of the defendant and disclose the presentence report to the defendant and to counsel by December 27, 2023; counsel shall communicate to the Probation Department by January 10, 2024, any objections to the presentence report; the presentence report, together with an addendum setting forth any unresolved objections, shall be submitted to the court by January 24, 2024; and the defendant shall appear before the court for sentencing at 1:30 p.m. on February 7, 2024.

Unless otherwise ordered, the probation officer is directed not to disclose the probation officer's sentencing recommendation except to the court.

It is ORDERED that the government and the defendant may file a sentencing memorandum addressing the sentencing factors set forth in 18 U.S.C. § 3553(a) on or before January 31, 2024.

The defendant remains on the same bond with the same terms and conditions as heretofore.

The Clerk is directed to forward copies of this order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 22, 2023

John T. Copenhaver, Jr.
Senior United States District Judge