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# Daily

Tuesday, July 22, 2003

## Magistrate to serve more than 7 years for racketeering

CHARLESTON, W.Va. (AP) — A former magistrate convicted of running his office as a racketeering enterprise was sentenced Monday to seven years and three months in prison.

A federal judge also ordered Danny R. Wells of Logan to pay restitution amounting to \$4,197 to 14 victims of his scam, which included accepting cash payments disguised as "release bonds" from defendants who appeared before him in Logan County Magistrate Court.

Wells, 51, also must serve three years of supervised release following his release from prison. His prison time will be reduced by the 140 days he has already spent in

federal custody, U.S. District Judge Charles Haden said.

A federal jury found Wells guilty in March, concluding that he committed three acts of accepting money, while clearing him of two charges of accepting sexual favors.

Wells appeared in court Monday wearing black-and-white prison stripes and shackles at the ankles. He did not address the court.

At the conclusion of the hearing, Wells' lawyer, Mark Underwood, said the judge's rulings on various questions pertaining to federal sentencing guidelines "went about as well as we could have hoped."

Although Haden sentenced

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Wells to the maximum possible prison time under the federal guidelines, he denied several "enhancements" requested by prosecutors.

"The judge did as much as he could do for Mr. Wells," Underwood said. "What the prosecutors wanted could have nearly doubled his time in prison."

Prosecutors said they were pleased with the outcome.

One of Wells' cohorts pleaded guilty in September to lying to an FBI agent about his involvement in the scheme.

John Wesley Nagy, 29, of Switzer admitted posing as a bondsman and taking money from defendants who appeared before Wells. Nagy was sentenced to three years of probation, and ordered to perform 480 hours of community service.

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