

IN THE MAGISTRATE COURT OF Nicholas COUNTY, WEST VIRGINIA

State of West Virginia

Case No. 19-M34F-00058

v.

Misdemeanor/ Felony

Abigail Alexis McClung
Defendant (Full Name)

XXX XX
Social Security Number Date of Birth

Address

Driver's License / Identification Number

City, State & Zip Code

Phone Number(s)

CRIMINAL COMPLAINT

Mag. Ct. Criminal Procedure Rule 3,4; 18 U.S.C § 921 (a) (33)

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about July, 2016 -October, 2017 in Nicholas County, West Virginia, in violation of *West Virginia Code § (cite specific section, subsection, and/or subdivision, if applicable)* Computer Fraud 61-3C-4 the defendant did *(state statutory language of the offense)*

Embezzlement 61-3-20

*See Attached Statutes

I further state that this complaint is based upon the following facts:

*See Attached Narrative

Continued on an attached sheet? Yes No

(If this complaint involves misdemeanor assault/battery, [West Virginia Code § 61-2-9] or misdemeanor domestic assault/ battery, [West Virginia Code § 61-2-28], check all that apply.)

The defendant

- is/was the victim's spouse. is/was living with the victim as a spouse, parent, or guardian.
- is/was a parent or guardian of the victim. is a person who is like a spouse, parent., or guardian of the victim.
- has a child in common with the victim. has none of the above connections to the victim.

Complainant (who appears before Magistrate):

B. L. Mankins
Complainant Name (Full Name)

105 Pincrest Drive
Address

Beckley, WV 25801
City, State & Zip Code

(304) 256-6982
Phone Number(s)

Lieutenant - West Virginia State Police
Office or Title, if any

03-29-2019 [Signature]
Date Complainant Signature

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

- | | |
|--|--|
| Finding | Issuance |
| <input type="checkbox"/> No probable cause found | <input type="checkbox"/> Summons issued |
| <input checked="" type="checkbox"/> Probable cause found | <input checked="" type="checkbox"/> Warrant issued |
| | <input type="checkbox"/> Warrantless arrest |

3/29/2019 [Signature]
Date Magistrate Signature

CRIMINAL COMPLAINT (CONTINUATION PAGE)

To wit: During the calendar year of 2017 and several years preceding, the defendant, Abigail McClung was employed as a "Clerk" for the city of Richwood, Nicholas County, WV. As part of her responsibilities, Ms. McClung was tasked with certain fiduciary duties to include proper reporting of employee tax withholdings and employee contributions to state and federal entities. However, through a forensic audit it was learned those obligations were not being met. In fact, in a follow-up interview with Ms. McClung she confessed that she was falsifying certain tax forms to indicate that withholdings had been remitted, when in fact they had not been remitted to the respective tax agencies (IRS/State Tax Department). Ms. McClung used a computer to create said tax forms. Ms. McClung advised that these false figures were then transmitted via computer network to state and federal tax officials in violation of WV code 61-3C-4.

Additionally, prior to separating from employment from the city of Richwood in October, 2017, Ms. McClung issued herself a check for 208 hours of vacation time. City of Richwood employees are not entitled to payouts of unused vacation time. Further, this figure appears falsified and in excess of amounts allotted to any full-time employee of the City of Richwood. Consequently, Ms. McClung received a \$3,120 (gross) check from the City of Richwood following her separation. This in violation of WV code 61-3-20.

M. G. Hanks 3/29/2019

L. J. Blum
3-29-19

IN THE MAGISTRATE COURT OF Nicholas COUNTY, WEST VIRGINIA

State of West Virginia

Case No. 19-1134F-00057

v.

Misdemeanor Felony

Lloyd Allen Cogar III
Defendant (Full Name)

XXX XX
Social Security Number Date of Birth

Address

Driver's License / Identification Number

City, State & Zip Code

Phone Number(s)

CRIMINAL COMPLAINT

Mag. Ct. Criminal Procedure Rule 3,4; 18 U.S.C. § 921 (a) (33)

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about July, 2015 - June, 2017 in Nicholas County, West Virginia, in violation of *West Virginia Code § (cite specific section, subsection, and/or subdivision, if applicable)*

1. Fraudulent or Unauthorized use of a Purchasing Card 6-9-2c the defendant did (state statutory language of the offense)

2. Embezzlement 61-3-20

*See Attached Statutes

I further state that this complaint is based upon the following facts:

*See Attached Narrative

Continued on an attached sheet? Yes No

(If this complaint involves misdemeanor assault/battery, [West Virginia Code § 61-2-9] or misdemeanor domestic assault/battery, [West Virginia Code § 61-2-28], check all that apply.)

The defendant

- is/was the victim's spouse. is/was living with the victim as a spouse, parent, or guardian.
- is/was a parent or guardian of the victim. is a person who is like a spouse, parent, or guardian of the victim.
- has a child in common with the victim. has none of the above connections to the victim.

Complainant (who appears before Magistrate):

B. L. Mankins
Complainant Name (Full Name)

105 Pinecrest Drive
Address

Beckley, WV 25801
City, State & Zip Code

(304) 256-6982
Phone Number(s)

Lieutenant - West Virginia State Police
Office or Title, if any

03-29-2019 [Signature]
Date Complainant Signature

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

- | | |
|--|--|
| Finding | Issuance |
| <input type="checkbox"/> No probable cause found | <input type="checkbox"/> Summons issued |
| <input checked="" type="checkbox"/> Probable cause found | <input checked="" type="checkbox"/> Warrant issued |
| | <input type="checkbox"/> Warrantless arrest |

3/29/2019 [Signature]
Date Magistrate Signature

CRIMINAL COMPLAINT (CONTINUATION PAGE)

To wit: On or about February, 23, 2015, Lloyd Allen Cogar was working as the Chief of Police in the city of Richwood, Nicholas Co., WV. Mr. Cogar was issued two local government purchase cards and was required to sign the West Virginia Local Government Purchasing Cardholder Agreement for said cards. From August, 2015 through May, 2017, Lloyd Allen Cogar made at least ten (10) separate purchases in and around the city of Richwood, with his Local Government Purchasing Cards, totaling \$527.15. These charges appear to be personal in nature and lack the supporting documentation, that is contrary to the provisions of the West Virginia Local Government Purchasing Cardholder Agreement and West Virginia Code 6-9-2c.

Additionally, between the dates of July, 2015 and June, 2017, Lloyd Allen Cogar did use his Local Government Purchasing Cards to make purchases of tires and services in excess of \$2,000 for Richwood City vehicles at his personally owned tire business (Allen's Discount Tire store), to which he derived a financial benefit.

M. J. ... 3/29/2019

Lt. B. ...

3-29-19

State of West Virginia

Case No. 19-M34F-00056

v.

Misdemeanor/ Felony

Christina Marie Drennen
Defendant (Full Name)

XXX XX
Social Security Number Date of Birth

Address

Driver's License / Identification Number

City, State & Zip Code

Phone Number(s)

CRIMINAL COMPLAINT

Mag. Ct. Criminal Procedure Rule 3,4; 18 U.S.C § 921 (a) (33)

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about July, 2016 through January, 2017 in Nicholas County, West Virginia, in violation of *West Virginia Code § (cite specific section, subsection, and/or subdivision, if applicable)* Embezzlement 61-3-20 the defendant did *(state statutory language of the offense)*

*Sec Attached Statute

I further state that this complaint is based upon the following facts:

*See Attached Narrative

Continued on an attached sheet? Yes No

(If this complaint involves misdemeanor assault/battery, [West Virginia Code § 61-2-9] or misdemeanor domestic assault/battery, [West Virginia Code § 61-2-28], check all that apply.)

The defendant

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(304) 256-6982
Phone Number(s)

Lieutenant - West Virginia State Police
Office or Title, if any

03-29-2019 [Signature]
Date Complainant Signature

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| <input checked="" type="checkbox"/> Probable cause found | <input checked="" type="checkbox"/> Warrant issued |
| | <input type="checkbox"/> Warrantless arrest |

3/29/2019 [Signature]
Date Magistrate Signature

IN THE MAGISTRATE COURT OF Nicholas COUNTY, WEST VIRGINIA

CRIMINAL COMPLAINT (CONTINUATION PAGE)

On or about June 14, 2016, Christina Drennen was elected the Recorder for the city of Richwood, Nicholas County and took office on about July 1, 2016. As the elected Recorder, Ms. Drennen oversaw the finances and records of the town, including serving as chair of the city's Finance committee. She also had signature authority over the city pay checks. As Recorder, she is entitled to a monthly pay salary/stipend of \$400.31 a month. Following a June 23, 2016, flood that damaged the city of Richwood, Ms. Drennen volunteered with numerous individuals to help Richwood recover from the flood. Although she was an elected official and volunteering, she was made employee of the city without Council knowledge or awareness. On July 7, 2016, she was paid a check in the amount of \$343.69 (net) for her Recorder position. She was also paid a second check on July 7, 2016, in the amount of \$1,437.12 as an alleged employee of the city. On July 8, 2016, she was again paid as employee. Specifically, she was paid \$1,342.05, for alleged overtime she claimed to have worked as an employee.

Thereafter, on or about July 18, 2016, Ms. Drennen deemed herself to be a member of another group of volunteers that had been formed to organize the city's flood recovery. This group, known as the Incident Command Structure ("ICS") team was headed up by two individuals Jeromy Rose and Jon Cox. Ms. Drennen, Mr. Rose, and Mr. Cox all paid themselves as employees of the city and set their own hourly rate. Ms. Drennen set her rate at \$30/hour. She was paid again as an employee on July 28, 2016 and continued to be paid an employee until on or about January 09, 2017.

Collectively, she was paid a total of \$45,357.75 (gross) as an employee of the city of Richwood. This amount was paid separate and in addition to her monthly Recorder pay. Further, on many of these payments to herself, Ms. Drennen signed the check. By paying herself as an employee, without Council approval, Ms. Drennen appropriated and/or converted public monies for her own personal use in violation of 61-3-20 of the state code of WV.

Lt. BL M... WVSP
M... 3/29/2019
3-29-19