

Supreme Court of Appeals of West Virginia

Docketing Statement

INSTRUCTIONS:

1. A docketing statement must be filed for every civil and criminal case appealed to the Supreme Court of Appeals. A docketing statement is not required for petitions for appeal from administrative tribunals, petitions for certified question review, petitions for post-conviction bail, or petitions for original jurisdiction relief.
2. The docketing statement must be attached to the original and each copy of the petition for appeal, including those served upon opposing counsel or parties unrepresented by counsel. The docketing statement must be in the form approved by the Supreme Court of Appeals or in a substantially similar form. Abbreviations may be used in the case style portion of the docketing statement.
3. The attorney filing the petition for appeal is responsible for filing the docketing statement, even if different counsel will handle the appeal.
4. Only one docketing statement shall be filed for each petition for appeal. In the case of multiple petitioners joining in one petition for appeal, the parties should confer and decide who will file the docketing statement.
5. The nature of proceedings and relief sought should be stated summarily. The docketing statement is not a brief and should not contain argument or motions. The issues should be expressed in terms and circumstances of the case but without unnecessary detail. Conclusory statements such as "the judgment of the trial court is not supported by the law or facts" are unacceptable.
6. Counsel or parties unrepresented by counsel should make every effort to include in the docketing statement all of the issues to be presented to the Supreme Court of Appeals. Failure to include all issues or the manner of presenting issues in the docketing statement, however, will not affect the jurisdiction of the Supreme Court of Appeals to consider the issues as presented in the petition.
7. If a respondent concludes that the docketing statement is inaccurate or incomplete, such inaccuracies or omissions should be addressed in the response to the petition for appeal.

WEBFORM INSTRUCTIONS: Click in the appropriate text fields to complete the form, using carriage returns as necessary. Use the "TAB" key to move between fields. When completed, use the print button or menu item in your Web browser to print the form. To save the form as completed, choose Save from the File menu before printing.

Supreme Court of Appeals of West Virginia
DOCKETING STATEMENT

Style of Case (use style from final order)

Type of Action:

Civil
Criminal

Petitioner(s):

Plaintiff(s)
Defendant(s)

Circuit Judge:

Circuit
Number:

County:

TIMELINESS OF APPEAL

Date of entry of judgment or order appealed from:

Filing date of any post-judgment motion filed by any party pursuant to R. Civ. P. 50(b), 52(b), or 59:

Date of entry of order deciding post-judgment motion:

Date of filing of petition for appeal:

Date of entry of order extending appeal period:

Time extended to:

FINALITY OF ORDER OR JUDGMENT

Is the order or judgment appealed from a final decision on the merits as to all issues and parties?

YES NO

If no, was the order or judgment entered pursuant to R. Civ. P. 54(b)?

YES NO N/A

Has the defendant been convicted?

YES NO N/A

Has a sentence been imposed?

YES NO N/A

Is the defendant incarcerated?	YES	NO	N/A
Has this case previously been appealed?	YES	NO	

If yes, give the case name, docket number, and disposition of each prior appeal on a separate sheet.

Are there any related cases currently pending in the Supreme Court of Appeals or Circuit Court?

YES	NO
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If yes, cite the case and the manner in which it is related on a separate sheet.

CASE INFORMATION

State generally the **nature of the suit**, the **relief sought**, and the **outcome below**. [Attach an additional sheet, if necessary.]

State the **issues to be raised on appeal**. [Attach an additional sheet, if necessary. Use carriage returns to number the issues in a manner corresponding with the petition for appeal.]

Continued: State the **issues to be raised on appeal**. [Attach an additional sheet, if necessary. Use carriage returns to number the issues in a manner corresponding with the petition for appeal.]

CASE MANAGEMENT INFORMATION

Do you wish to make an oral presentation of the petition?	YES	NO
Has the entire or only portions of the record been designated?	ENTIRE	PORTION
If the appeal is granted, do you desire reproduction of the record or that the case be heard on the original record?	REPRODUCED	ORIGINAL

List counsel for each adverse party to the appeal. Include name, firm name, address, and telephone number. If unrepresented by counsel, provide the address and telephone number of the adverse party. Attach an additional sheet if necessary.

List the Petitioner(s) name:

If incarcerated, provide institutional address:

Name of attorney or pro se litigant filing Docketing Statement:

			ATTORNEY	PRO SE
Will you be handling the appeal?	YES	NO		

If so, provide firm name, address, and telephone number:

If this is a joint statement by multiple petitioners, add the names and addresses of the other petitioners and counsel joining in this Docketing Statement on an additional sheet, accompanied by a certification that all petitioners concur in this filing.

Signature: _____

WV Bar No. _____

Date: _____

Remember to Attach:

1. Additional pages, if any, containing extended answers to questions on this form.
2. A copy of the order or judgment from which the appeal is taken.
3. A Certificate of Service.