

WEST VIRGINIA SUPREME COURT OF APPEALS

RE: CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA
IN THE MATTER OF:

_____ v. _____
Family Court Judge: _____ Magistrate Court Case No.: _____
Circuit Court Judge: _____ Family Court Civil Action No.: _____
Circuit Court Final Order Date: _____ Circuit Court Case No.: _____

**PETITION FOR APPEAL
OF
CIRCUIT COURT ORDER
IN DOMESTIC VIOLENCE APPEAL**

Petitioner (First/Middle/Last)

Respondent (First/Middle/Last)

By (Parent/Guardian/Next Friend)

Phone Number (Please include area code)

Phone Number (Please include area code)

Street Address:

Street Address:

If the Petition for Appeal is granted, would you like the opportunity to make an oral argument? Yes / No

Have you, or another party in this case filed, a previous Appeal? Yes / No

If yes, give details: _____

CDVAPFO: Petition for Appeal from Circuit Court Order in DV Appeal

Review Date: 07/01/2011; Revision Date: 07/01/2011;  WVSCA Approved 7/14/2011

Docket Code(s): **CDPAO**

Magistrate Court Case No.: _____

Family Court Civil Action No.: _____

Circuit Court Case No.: _____

State briefly each ground on which you claim that the Family Court / Circuit Court erred in its Final Order. Summarize briefly the facts supporting each ground. Attach additional pages if necessary. If you wish to make further argument in support of the Petition, you may file a Memorandum of Law.

Ground one: _____

Supporting FACTS (state briefly without citing cases or Law)

(Check this box if extra sheets are attached.)

Ground two: _____

Supporting FACTS (state briefly without citing cases or Law)

(Check this box if extra sheets are attached.)

Magistrate Court Case No.: _____
Family Court Civil Action No.: _____
Circuit Court Case No.: _____

Ground three: _____

Supporting FACTS (state briefly without citing cases or Law)
(Check this box if extra sheets are attached.)

Ground four: _____

Supporting FACTS (state briefly without citing cases or Law)
(Check this box if extra sheets are attached.)

ADDITIONAL FACT SHEETS

If there is not enough room in the space provided, use form CDVCONT (DV Appeal Continuation Sheet).

I have attached _____ additional sheet(s).

I have attached and filed a Memorandum of Law supporting my Appeal.

Magistrate Court Case No.: _____

Family Court Civil Action No.: _____

Circuit Court Case No.: _____

VERIFICATION

STATE OF WEST VIRGINIA

COUNTY OF _____, TO WIT:

I, _____, on oath or affirmation, say that I am the Party filing this DOMESTIC VIOLENCE PETITION FOR APPEAL and that the facts contained herein are true, except that where they are stated to be on information and belief, I believe them to be true.

Party's Signature

Taken, subscribed, and sworn or affirmed before me this _____ day of _____, 2_____.

Notary Public/Magistrate/Assistant/Magistrate Clerk

My commission expires on _____.

CERTIFICATE OF SERVICE

I, _____, the person making this Petition for Appeal, mailed the Petition to the following persons by first class United States Mail.

Served on _____, by first class United States mail to _____ at address:
(Date) (Name)

(Address)

Served on _____, by first class United States mail to _____ at address:
(Date) (Name)

(Address)

(Date)

(Print your Name)

Signature

Magistrate Court Case No.: _____

Family Court Civil Action No.: _____

Circuit Court Case No.: _____

NOTICES TO PETITIONER / RESPONDENT:

- ❖ **YOU HAVE THE RIGHT TO APPEAL THE CIRCUIT COURT ORDER REFUSING YOUR DOMESTIC VIOLENCE PETITION FOR APPEAL TO THE WEST VIRGINIA SUPREME COURT WITHIN FOUR MONTHS OF THE ENTRY OF THIS ORDER. THE REVISED RULES OF APPELLANT PROCEDURE MUST BE FOLLOWED. YOU CAN OBTAIN INFORMATION REGARDING THE RULES ON THE WV SUPREME COURT OF APPEALS WEBSITE. AN APPEAL SHALL BE MADE USING FORM CDVAPFO (PETITION FOR APPEAL FROM CIRCUIT COURT ORDER) WHICH CAN BE OBTAINED IN THE CIRCUIT CLERK'S OFFICE AND THE WV SUPREME COURT WEBSITE.**

- ❖ **IF YOU CANNOT AFFORD THE COSTS OF THE PROCEEDINGS YOU MAY FILE A FEE WAIVER AFFIDAVIT WHICH CAN BE OBTAINED IN THE CIRCUIT CLERK'S OFFICE.**