

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 27<sup>th</sup> of April, 2016, the following order was made and entered:

State of West Virginia,  
Plaintiff Below, Respondent

vs.) No. 15-0933

Brian Daniel Hayslett,  
Defendant Below, Petitioner

AMENDED SCHEDULING ORDER

On April 14, 2016, the respondent, State of West Virginia, by Kristen Keller, Prosecuting Attorney, filed an objection to the appendix and motion to toll time for filing the respondent's brief, for the reasons set forth therein.

On April 11, 2016, the petitioner, Brian Daniel Hayslett, by counsel David L. White, filed a motion to require the circuit clerk to transmit original trial exhibits to this Court.

Upon consideration, the Court is of the opinion that the appeal is not properly perfected and does hereby grant the Prosecuting Attorney's motion. The petitioner's motion to require the circuit clerk to transmit original trial exhibits is refused and counsel for the petitioner is directed to review and comply with the Rules of Appellate Procedure.

Counsel for the petitioner is ordered to comply with Rule 7 of the Rules of Appellate Procedure, and properly confer with the Prosecuting Attorney on the contents of the appendix, on or before May 27, 2016. Counsel for the petitioner is ordered to

properly perfect the appeal, with the filing of a petitioner's brief and an appendix that fully comply with the Rules of Appellate Procedure, on or before June 30, 2016.

Once the appeal is properly perfected, the respondent is hereby directed to file a respondent's brief, or a summary response, on or before August 15, 2016, or within forty-five days of the date the appeal is perfected. Any reply brief deemed necessary shall be filed by the petitioner within twenty days of the respondent's brief.

**SUMMARY OF DEADLINES: Appeal No. 15-0933**

<b>Rule 7(e):</b>	<b>May 27, 2016</b>
<b>Appeal Perfected:</b>	<b>June 30, 2016</b>
<b>Respondent's Brief:</b>	<b>August 15, 2016</b>
<b>Reply Brief:</b>	<b>September 6, 2016</b>

Once the deadline for filing a reply brief has passed, the appeal will be mature for consideration by the Court pursuant to R.A.P. 5(h). Counsel of record will be notified in writing of any decision in the case.

The Rule to Show Cause previously entered remains returnable to a later date during the Fall 2016 Term of Court.

A True Copy

Attest: //s// Rory L. Perry II  
Clerk of Court

