

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 4th of March, 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

NOTICE OF INTENT TO SANCTION

As set forth in the Court's amended scheduling order issued on November 17, 2015, the deadline for perfecting the appeal was February 29, 2016. The appeal has not been perfected.

Pursuant to Rule 5(g), Rules of Appellate Procedure, "Failure by the petitioner to perfect an appeal will result in the case being dismissed from the docket of the Court." However, dismissal of an appeal when court-appointed counsel has failed to perfect the appeal is not the preferred sanction. **Counsel for the petitioner is hereby directed to perfect the appeal within ten days of receipt of this order, and show good cause as to why the appeal was not perfected timely, or counsel for the petitioner, David L. White, Esq., will be subject to other sanctions.**

A True Copy

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

