

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

September 2002 Term

FILED

November 27, 2002
RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

No. 30696

RELEASED

November 27, 2002
RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

**STATE OF WEST VIRGINIA EX REL.
JAMES WILLIAM BERRY, SR.,
Petitioner,**

V.

**THOMAS L. McBRIDE, WARDEN,
MT. OLIVE CORRECTIONAL CENTER,
Respondent.**

Petition for Writ of Mandamus

WRIT GRANTED AS MOULDED

Submitted: October 8, 2002

Filed: November 27, 2002

**James William Berry, Sr.
Pro Se**

**Darrell V. McGraw, Jr.
Attorney General
Heather A. Connolly
Assistant Attorney General
Charleston, West Virginia
Attorneys for Appellee**

The Opinion of the Court was delivered PER CURIAM.

JUSTICE STARCHER concurs and reserves the right to file a concurring opinion.