

No. 31509 – *Brian K. Markley v. Michael Coleman, Acting Warden, Mt. Olive Correctional Complex*

FILED

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

Albright, Justice, dissenting:

I dissent from the result and the reasoning in this opinion for the reasons set forth in my dissent in a case of similar structure and effect, *Mugnano v. Painter*, 212 W.Va. 831, 834, 575 S.E.2d 590, 593 (2002). As in *Magnano*, appellant here deserved legal representation to fully evaluate and present the particular grounds for habeas corpus relief.