

STATE OF WEST VIRGINIA

SCA EFiled: Feb 10 2023  
12:01PM EST  
Transaction ID 69125888

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on February 9, 2023, the following order was made and entered:

**RE: Provisional Adoption of and Request for Public Comment on Proposed Amendments to Rule 28 of the Rules of Practice and Procedure for Family Court, No. 23-72**

On this day, the Court, on its own motion, proceeded to consider amendments to Rule 28 of the Rules of Practice and Procedure for Family Court.

The Court has jurisdiction under Article VIII, §§1 and 3 of the West Virginia Constitution. The Court is of the opinion that the rule amendments as set forth in this order should be provisionally adopted, subject to being published for a thirty-day period of public comment. Comments must be filed in writing with the Clerk of Court through File and Serve Express, on or before **March 10, 2023**.

The proposed additions to the Rule are indicated by underscoring to read as follows:

**Rules of Practice and Procedure for Family Court**

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**Rule 28. Appeal to intermediate court of appeals.**

**Appeals from family court to the intermediate court of appeals are filed in accordance with Rule 13 of the Rules of Appellate Procedure. If a motion for reconsideration has been properly filed within the time period to file an appeal, the time for filing an appeal is extended until thirty days after entry of the final order on the motion for reconsideration by the family court.**

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A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

