

STATE OF WEST VIRGINIA

SCA EFiled: Apr 05 2023  
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At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 5, 2023, the following order was made and entered:

**RE: Adoption of Amendment to Rule 28 of the Rules of Practice and Procedure for Family Court, No. 23-72**

On February 9, 2023, the Court published for public comment proposed amendment to Rule 28 of the Rules of Practice and Procedure for Family Court. No comments were filed.

The Court has jurisdiction under Article VIII, §§1 and 3 of the West Virginia Constitution.

Upon consideration and review of the proposed amendment on March 30, 2023, the Court is of the opinion to and does adopt the following rule amendments, effective immediately.

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

