

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 28, 2023, the following order was made and entered **in vacation**:

State of West Virginia,
Plaintiff Below, Respondent

vs.) No. 23-80

Shawn Douglas Newman,
Defendant Below, Petitioner

Lauren Brown,
Official Court Reporter
Respondent for Contempt Proceedings

RULE TO SHOW CAUSE IN CONTEMPT

On May 10, 2023, the Court entered an amended scheduling order extending the deadline for the respondent official court reporter, Lauren Brown, to prepare and file the transcripts requested by the petitioner until May 22, 2023. The requested transcripts are for (1) the June 16, 2021, preliminary hearing; (2) the November 4, 2021, plea hearing; (3) the December 20, 2021, status hearing; (4) the February 24, 2022, motion hearing; (5) the April 15, 2022, status hearing; (6) the July 22, 2022, pre-trial hearing; and (7) the November 18, 2022, sentencing hearing. The transcripts were not completed and filed as ordered.

On June 14, 2023, the petitioner Shawn Douglas Newman, by counsel, William S. Adams, Adams Legal Group, PLLC, presented to the Court a motion for enlargement of time to perfect the appeal because the transcripts requested by the petitioner had not yet been completed. In the petitioner's motion, counsel notes that, despite multiple attempts to contact the respondent court reporter, no response or estimated date as to when the transcripts can be prepared and filed has been received. On June 26, 2023, the clerk of the Circuit Court of Barbour County informed the clerk of this Court that the transcripts have still not been prepared and filed as ordered.

Upon consideration and review, the Court grants the petitioner's motion for enlargement of time. The deadlines in this matter are extended until further order of the Court.

Due to her failure to prepare the transcripts as directed by this Court, it is ordered that a rule to show cause in contempt does issue against official court reporter Lauren Brown commanding her to appear and directing her to show cause, if any she can, as to why sanctions should not be imposed on her. This rule to show cause in contempt is returnable before the Supreme Court of Appeals of West Virginia at its courtroom in the City of Charleston, County of Kanawha, at 1:50, p.m., on Wednesday, September 6, 2023, unless sooner mooted.

The rule to show cause may be rendered moot by Lauren Brown certifying and filing the transcripts ordered prepared in this action on or before September 5, 2023. The Certificate of Completion shall be filed with the Office of the Clerk of the Supreme Court of Appeals of West Virginia.

Service of a copy of this order upon the official court reporter, Lauren Brown, shall have the same effect as the service of a formal writ.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

