



Supreme Court of Appeals of West Virginia

News

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Judge Asbury to Sit on Supreme Court for One Case

For immediate release

CHARLESTON, W.Va. – Fourteenth Judicial Circuit (Braxton, Clay, Gilmer, and Webster Counties) Judge Michael W. Asbury, Jr., will sit by temporary assignment on the Supreme Court of Appeals of West Virginia for one case on Tuesday, Sept. 17.

When a Supreme Court Justice is unable to serve in a case, Article VIII Section 2 of the Constitution of West Virginia allows the chief justice to assign a circuit court or intermediate court judge to participate in all hearings, conferences, and votes on that case.

Judge Asbury will fill in for Justice C. Haley Bunn, who is recused from *WV DHS v. David B.*, No 23-275. The Rule 20 argument will begin at 10 a.m.

Rule 20 arguments involve issues of first impression or of fundamental public importance; constitutional questions regarding the validity of a statute, municipal ordinance, or court ruling; and cases involving inconsistencies or conflicts among the decisions of lower tribunals.

Governor Jim Justice appointed Judge Asbury to the bench in August 2023. He was elected in May 2024 to an eight-year term that begins January 1, 2025. Judge Asbury serves on the Legislative, Education, and Realignment Committees of the West Virginia Judicial Association.

Judge Asbury is a native of Clay County. He is a 1993 graduate of Clay County High School, a 2002 graduate of West Virginia State University, and a 2005 graduate of West Virginia University College of Law. Before he was a judge, he owned his own law practice in Clay County and served clients throughout central West Virginia.

He has been married to his high school sweetheart, Carrie Asbury, since 1995, and they have four children and six grandchildren. The couple actively serve in Fairview Baptist Temple in Clay, and Judge Asbury is an outdoor enthusiast.

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