

**WEST VIRGINIA SUPREME COURT OF APPEALS**

**RE: CIRCUIT COURT OF** \_\_\_\_\_ **COUNTY, WEST VIRGINIA**  
IN THE MATTER OF:

\_\_\_\_\_ v. \_\_\_\_\_

Family Court Judge: \_\_\_\_\_ Magistrate Court Case No.: \_\_\_\_\_

Circuit Court Judge: \_\_\_\_\_ Family Court Civil Action No.: \_\_\_\_\_

Circuit Court Final Order Date: \_\_\_\_\_ Circuit Court Case No.: \_\_\_\_\_

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**PETITION FOR APPEAL  
OF  
CIRCUIT COURT ORDER  
IN DOMESTIC VIOLENCE APPEAL**

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\_\_\_\_\_  
Petitioner (First/Middle/Last)

\_\_\_\_\_  
Respondent (First/Middle/Last)

\_\_\_\_\_  
By (Parent/Guardian/Next Friend)

\_\_\_\_\_  
Phone Number (Please include area code)

\_\_\_\_\_  
Phone Number (Please include area code)

\_\_\_\_\_  
Street Address:

\_\_\_\_\_  
Street Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the Petition for Appeal is granted, would you like the opportunity to make an oral argument? Yes / No

Have you, or another party in this case filed, a previous Appeal? Yes / No

If yes, give details:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Magistrate Court Case No.: \_\_\_\_\_

Family Court Civil Action No.:

Circuit Court Case No.:

State briefly each ground on which you claim that the Family Court / Circuit Court erred in its Final Order. Summarize briefly the facts supporting each ground. Attach additional pages if necessary. If you wish to make further argument in support of the Petition, you may file a Memorandum of Law.

Ground one:

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**Supporting FACTS (state briefly without citing cases or Law)**  
*(Check this box if extra sheets are attached.)*

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Ground two:

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**Supporting FACTS (state briefly without citing cases or Law)**  
*(Check this box if extra sheets are attached.)*

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Magistrate Court Case No.: \_\_\_\_\_

Family Court Civil Action No.:

Circuit Court Case No.:

Ground three:

\_\_\_\_\_  
\_\_\_\_\_  
**Supporting FACTS (state briefly without citing cases or Law)**  
*(Check this box if extra sheets are attached.)*

Ground four:

\_\_\_\_\_  
\_\_\_\_\_  
**Supporting FACTS (state briefly without citing cases or Law)**  
*(Check this box if extra sheets are attached.)*

**ADDITIONAL FACT SHEETS**

*If there is not enough room in the space provided, use form CDVCONT (DV Appeal Continuation Sheet).*

I have attached \_\_\_\_\_ additional sheet(s).

**I have attached and filed a Memorandum of Law supporting my Appeal.**

Magistrate Court Case No.: \_\_\_\_\_

Family Court Civil Action No.:

Circuit Court Case No.:

**VERIFICATION**

**STATE OF WEST VIRGINIA**

**COUNTY OF \_\_\_\_\_, TO WIT:**

I, \_\_\_\_\_, on oath or affirmation, say that I am the Party filing this DOMESTIC VIOLENCE PETITION FOR APPEAL and that the facts contained herein are true, except that where they are stated to be on information and belief, I believe them to be true.

\_\_\_\_\_  
Party's Signature

Taken, subscribed, and sworn or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Notary Public/Magistrate/Assistant/Magistrate Clerk

My commission expires on \_\_\_\_\_.

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, the person making this Petition for Appeal, mailed the Petition to the following persons by first class United States Mail.

Served on \_\_\_\_\_, by first class United States mail to \_\_\_\_\_ at address:  
(Date) (Name)  
\_\_\_\_\_  
(Address)

Served on \_\_\_\_\_, by first class United States mail to \_\_\_\_\_ at address:  
(Date) (Name)  
\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print your Name)

\_\_\_\_\_  
Signature

Magistrate Court Case No.: \_\_\_\_\_

Family Court Civil Action No.:

Circuit Court Case No.:

**NOTICES TO PETITIONER / RESPONDENT:**

- ❖ **YOU HAVE THE RIGHT TO APPEAL THE CIRCUIT COURT ORDER REFUSING YOUR DOMESTIC VIOLENCE PETITION FOR APPEAL TO THE WEST VIRGINIA SUPREME COURT WITHIN FOUR MONTHS OF THE ENTRY OF THIS ORDER. THE REVISED RULES OF APPELLANT PROCEDURE MUST BE FOLLOWED. YOU CAN OBTAIN INFORMATION REGARDING THE RULES ON THE WV SUPREME COURT OF APPEALS WEBSITE. AN APPEAL SHALL BE MADE USING FORM CDVAPFO (PETITION FOR APPEAL FROM CIRCUIT COURT ORDER) WHICH CAN BE OBTAINED IN THE CIRCUIT CLERK'S OFFICE AND THE WV SUPREME COURT WEBSITE.**
- ❖ **IF YOU CANNOT AFFORD THE COSTS OF THE PROCEEDINGS YOU MAY FILE A FEE WAIVER AFFIDAVIT WHICH CAN BE OBTAINED IN THE CIRCUIT CLERK'S OFFICE.**