

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.: _____

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

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.:

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.**