IN THE CIRCUIT COURT OF [*county*] COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

Defendant.

**MOTION FOR REDUCTION OF BAIL**

On this date came Defendant, [*name*], by Counsel, [*counsel’s name*], and moved this Honorable Court for a “hearing to determine [D]efendant’s eligibility for [a reduction] of bail or release” pursuant to Rule 46 of the West Virginia Rules of Criminal Procedure and West Virginia Code § 62-1C-1(c) to reduce the amount of bail previously established.

In support of Defendant’s motion, Counsel asserts that [state facts and argument for reduction of bond].

Pursuant to West Virginia Code § 62-1C-3, Defendant asserts that consideration ought to be given to the following: [(1) seriousness of offense, (2) previous criminal record, (3) financial ability, (4) probability of appearance.] “[I]n exercising its discretion…, consideration should be given [by the court] to all facts and circumstances of each case and no absolute rule or policy should be adopted, nor should one circumstance be considered to the exclusion of all facts which should be considered.” Syl. Pt. 2, *State ex rel. Ghiz v. Johnson*, 155 W. Va. 186 (W. Va. 1971).

Defendant prays that this Honorable Court schedule a hearing on this motion, and, at the conclusion of said hearing, grant the relief requested in the motion herein.

Dated the \_\_\_ day of [*month, year*].

[*defendant*],

By Counsel

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

[*counsel name*] [*bar number*]

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant