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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

 Defendant.

**MOTION FOR DISQUALIFICATION OF JUDGE**

On this date comes Defendant, [*name*], by Counsel, [*counsel’s name*], and moves this Honorable Court, pursuant to W. Va. Code § 51-2-8, as amended, and W. Va. T. C. R. 17.01, for disqualification of the judge assigned to the matter herein.

In support of said motion, Counsel asserts the following: [*state particular facts and rationale supporting the motion, including the specific provision of Canon 3 of the Code of Judicial Conduct asserted to be applicable*].

Therefore, Defendant requests that the Honorable Court grant this motion and refer the matter herein for assignment to another judge.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant