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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

Defendant.

**DEFENDANT’S MOTION TO REDUCE AND/OR RECONFIGURE BAIL**

Now comes Defendant, [*defendant’s name*], by way of counsel, [*counsel’s name*], and makes the following Motion to Reduce and/or Reconfigure Bail. The Motion is being filed pursuant to West Virginia Code § 62-1C-1(a), which affords a defendant the right to bail. Counsel respectfully requests that the bail be reduced and/or reconfigured so that the amount is reduced and/or so that Defendant is permitted to post bail by way of a professional bondsman, property, or 10% cash to the Court.

Defendant’s bail is currently set at $\_\_\_\_\_\_\_\_, cash only. Defendant has been incarcerated at [*name of facility*] since [*insert date*]. [*He/She*] is a resident of [*county*] County, does not have any prior felony convictions, and faces only a maximum of [*insert potential sentence*] if convicted.

According to W. Va. Code § 62-1C-3, the seriousness of an alleged offense should be taken into account when setting the amount of bail. However, a cash only bail of $\_\_\_\_\_\_\_\_\_ is unreasonably high under the circumstances, given the potential penalties if convicted. In addition, this case may not go to trial during the \_\_\_\_\_\_\_\_\_ term, as [*insert reasons for potential delay*]

For these reasons, and for other reasons apparent on the face of the record, Defendant respectfully requests that this Court grant this Motion.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant