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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

Defendant.

**MOTION FOR SEPARATE TRIAL [Misdemeanor]**

On this date came Defendant, [*name*], by Counsel, [*counsel’s name*], and moved the Honorable Court, pursuant to Rule 14(b) of the West Virginia Rules of Criminal Procedure, to grant Defendant a separate trial in the captioned matter.

In support of this motion, Defendant asserts that [*he/she*] has been charged in a joint indictment with [*co-defendant*], and that Defendant would be unduly prejudiced by a joint trial with [*co-defendant*] for the following reasons: [*state reasons why joint trial is prejudicial*].

Therefore, Defendant requests that the Honorable Court grant a separate trial in the captioned matter.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant