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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

 Defendant.

**MOTION TO WAIVE JURY TRIAL AND SET BENCH TRIAL**

On this date came Defendant, [*name*], by Counsel, [*name*], and moved this Honorable Court, pursuant to West Virginia Code §56-6-11, as amended, and Rule 23(a) of the West Virginia Rules of Criminal Procedure, for leave to waive Defendant’s right to a jury trial in the captioned matter, and set a bench trial in it.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant