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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

 Defendant.

**MOTION TO DEVELOP BAIL RECORD**

On this date came Defendant, [*name*], by Counsel, [*name*], and moved the Honorable Court, pursuant to Rule 46(h) of the West Virginia Rules of Criminal Procedure, to conduct an evidentiary hearing to permit Defendant to develop a bail record.

In support of this motion, Counsel states that, although Defendant is not automatically entitled to bail under the circumstances of this case, Defendant is entitled to develop a bail record to permit the West Virginia Supreme Court of Appeals to determine if post-conviction bail should be granted.

Therefore, Defendant prays for a hearing to develop a bail record in this matter.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant