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

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

 Defendant.

 **MOTION TO DISMISS THE INDICTMENT**

On this date came Defendant, [*name*], by Counsel, [*name*], and moved this Honorable Court, pursuant to Rule 12(b)(2) of the West Virginia Rules of Criminal Procedure, to dismiss the indictment herein.

In support of said motion, Defendant asserts the following: [*state facts and argument for dismissal of indictment*].

Wherefore, Defendant requests that the Honorable Court dismiss the indictment returned herein.

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

[*defendant*],

By Counsel

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

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

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant