

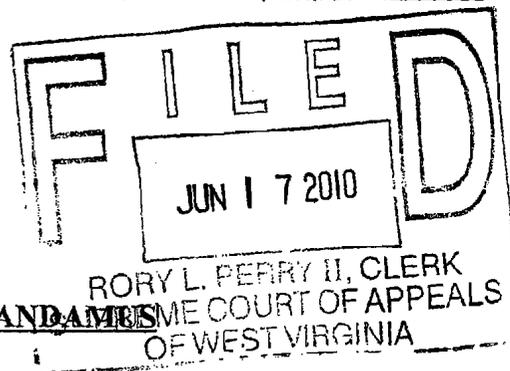
IN THE SUPREME COURT OF APPEALS OF THE STATE OF WEST VIRGINIA

STATE OF WEST VIRGINIA,
Respondent,

VS.

Morgan County Case # 07-F-68 & 07-F-69

JASON M. PAYNE,
Petitioner.

PETITION FOR WRIT OF MANDAMUS

COMES NOW the Petitioner, Jason M. Payne, *Pro se*, who respectfully petitions this Court to issue a Writ of Mandamus to require the Morgan County Circuit Court to rule on previous motions filed upon that court, and as well enforce the Circuit Court to be more effectuate in over seeing Petitioners appeal rights.

Petitioner filed two Motions with the Circuit Court, on April 8, 2009 a Writ of Mandamus, and April 28, 2009 a Motion for Transcript. The court has failed to rule on either of these. On September 28, 2009 Petitioner, Motioned the court once more searching for knowledge as to Motions standings, yet to no avail.

Also in same Motion, petitioner, brought to the attention of the court that his appeal has yet to be filed and that counsel has not been effective. This bringing up my second issue. Petitioner, was convicted at two separate trials back in April 2008 and May 2008. It has now been over two (2) years since these trials, to which he still has not had his appeal filed in neither

case.

FOR the foregoing reasons, the Petitioner prays the this Honorable Court grant the relief requested by ordering the Circuit Court to rule on above mentioned Motions and be more effective in upholding Petitioners appellant rights.

Respectfully Submitted,



Jason M. Payne #30362
Mt. Olive Correctional Complex
One Mountainside Way
Mt. Olive, W. Va. 25185

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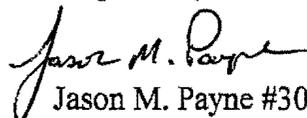
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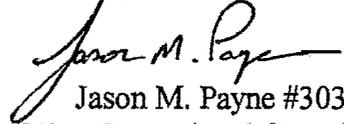
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Respectfully Submitted,

A handwritten signature in black ink that reads "Jason M. Payne". The signature is written in a cursive style with a long horizontal stroke at the end.

Jason M. Payne #30362
Mt. Olive Correctional Complex
One Mountainside Way
Mt. Olive, W.Va. 25185