

LEWIS COUNTY, WV
 IN THE CIRCUIT COURT OF LEWIS COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA 23 P 2:46
 Plaintiff,

vs.

CIRCUIT CLERK

Case No. 15-M-AP-2
 Judge Jacob E. Reger

JENNIFER RUTH LEESON,
 Defendant.

ORDER CLARIFYING ORDER OF JANUARY 11, 2017

On the 11th day of January, 2017, the Court was informed that the Defendant wished to dismiss her appeal. The Court GRANTED the Defendant's request to dismiss her petition for appeal. However, the order prepared by the Defendant dismissed the case with prejudice. Wherefore, it has become necessary to clarify that the Court's Order on the Defendant's request to dismiss her petition for appeal did not dismiss her appeal. Instead, the order inadvertently dismissed the case against the Defendant.

The Court was awaiting a proposed order from the Lewis County Prosecuting Attorney's Office regarding the March 4, 2016 bench trial in which the Court found the Defendant **GUILTY** of both speeding and operating a motor-vehicle without an operator's license. In the interim, the Defendant moved for a dismissal of her appeal. The Court determined either dismissing the appeal or entering a trial order would have the same effect. The Court chose to utilize the Defendant's proposed order granting what the Defendant referred to as a "motion to dismiss." The Magistrate Court conviction would stand due to the Defendant dismissing/withdrawing her petition for appeal.

Thereupon, the Court, will not consider the Defendant's Motion to Dismiss the Appeal

and will enter a separate order from the Defendant's Bench Trial of March 4, 2016.

WHEREFORE, for the reasons set forth above, the Court hereby **ORDERS** that the *Order* from January 11, 2017 is **HEREBY DECLARED NULL AND VOID**.

The Lewis County Circuit Clerk is hereby **DIRECTED** to send a copy of this order to all parties of interest.

ENTERED this 19th day of October, 2017.



Jacob E. Reger
Circuit Court Judge