



## WEST VIRGINIA SUPREME COURT OF APPEALS UPHOLDS RULING IN DECADE-LONG CASE AGAINST THE CITY OF CHARLESTON

After more than ten plus years of litigation, including three appeals to the West Virginia Supreme Court of Appeals, Timothy L. Mayo and Jason Proctor were successful on behalf of the City of Charleston in securing the termination of a law enforcement officer who had exhibited a pattern and practice of misconduct in the discharge of his official duties. The years of misconduct led to a need to remove the officer from the ranks as he had failed to satisfy obligations imposed on him by a last-chance agreement. Despite the extant history of this litigation, the West Virginia Supreme Court of Appeals ultimately found that Constitutional due process had been afforded the officer and that the decision to terminate was upheld.

**Disclaimer:** Case summaries, reports of past results and individual lawyer biographies on this website describe past matters handled for clients of the firm. These descriptions are meant only to provide information to the public about the activities and experience of our lawyers. They are not intended as a guarantee that the same or similar results can be obtained in every matter undertaken by our lawyers. You must not assume that a similar result can be obtained in a legal matter of interest to you. The outcome of a particular matter can depend on a variety of factors—including the specific factual and legal circumstances, the ability of opposing counsel, and, often, unexpected developments beyond the control of any client or lawyer.

### PEOPLE

Timothy L. Mayo

Jason A. Proctor