

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

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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.

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Timothy L. Mayo

Jason A. Proctor