

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

NO. 18-0816

STATE OF WEST VIRGINIA EX REL.  
MARGARET L. WORKMAN

Petitioner,

v.

MITCH CARMICHAEL, as President of the Senate;  
DONNA BOLEY, as President Pro Tempore of the Senate;  
RYAN FERNS, as Senate Majority Leader;  
LEE CASSIS, Clerk of the Senate; and  
WEST VIRGINIA SENATE,

Respondents.

**MOTION BY JUSTICE ALLEN H. LOUGHRY, II, TO EXPAND THE  
WRIT ISSUED IN THIS CASE TO PROHIBIT HIS IMPEACHMENT TRIAL**

*To the Honorable Justices of the*

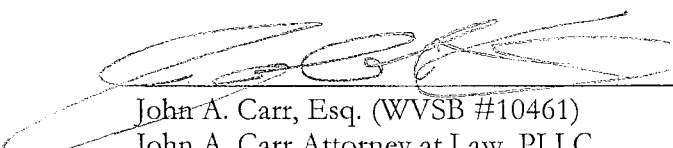
*West Virginia Supreme Court:*

This Court has issued its decision in *State ex rel. Margaret L. Workman v. Carmichael*, No. 18-0816. In this decision, the Court issued a writ prohibiting the impeachment trial of Justice Workman scheduled to begin on October 15, 2018. Justice Allen H. Loughry, II, was impeached following the same procedures and on many of the same grounds returned against Justice Workman. Furthermore, the same separation of powers, due process, and procedural flaws identified by the Court in the *Workman* decision are applicable to and controlling in the pending impeachment trial of Justice Loughry. The Senate impeachment trial for Justice Loughry is scheduled to be held on November 12, 2018.

Justice Allen H. Loughry, II, respectfully moves the Court to expand the writ issued in the *Workman* decision to prohibit the impeachment of Justice Loughry.

**JUSTICE ALLEN H. LOUGHRY, II**  
Movant,

By Counsel



John A. Carr, Esq. (WVSB #10461)  
John A. Carr Attorney at Law, PLLC  
179 Summers Street, Ste 209  
Charleston, WV 25301  
304-344-4822  
E-mail: [jcarr@jcarrlaw.com](mailto:jcarr@jcarrlaw.com)

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

NO. 18-0816

STATE OF WEST VIRGINIA EX REL.  
MARGARET L. WORKMAN

Petitioner,

v.

MITCH CARMICHAEL, as President of the Senate;  
DONNA BOLEY, as President Pro Tempore of the Senate;  
RYAN FERNS, as Senate Majority Leader;  
LEE CASSIS, Clerk of the Senate; and  
WEST VIRGINIA SENATE,

Respondents.

CERTIFICATE OF SERVICE

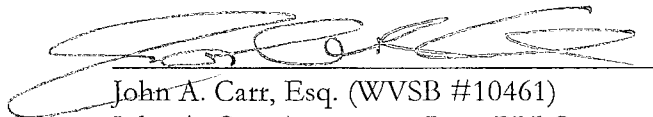
The undersigned does hereby certify that a true and accurate copy of the foregoing  
“MOTION BY JUSTICE ALLEN H. LOUGHRY, II, TO EXPAND THE WRIT  
ISSUED IN THIS CASE TO PROHIBIT HIS IMPEACHMENT TRIAL” was  
served on counsel of record by mail and e-mail on the following:

Marc E. Williams  
Nelson Mullins Riley & Scarborough LLP  
949 Third Avenue, Suite 200  
Huntington, WV 25701  
Phone: (304) 526-3500  
E-mail: [marc.williams@nelsonmullins.com](mailto:marc.williams@nelsonmullins.com)

J. Mark Adkins  
Bowles Rice LLP  
600 Quarrier Street  
Charleston, WV 25301  
Phone: (304) 347-1100  
E-mail: [madkins@bowlesrice.com](mailto:madkins@bowlesrice.com)

Lonnie C. Simmons  
DiTrapano Barrett DiPiero McGinley & Simmons, PLLC  
604 Virginia St. E  
Charleston, WV 25301  
Phone: (304) 342-0133  
Email: [Lonnie.simmons@dbdlawfirm.com](mailto:Lonnie.simmons@dbdlawfirm.com)

Date: October 19, 2018



John A. Carr, Esq. (WVSB #10461)  
John A. Carr Attorney at Law, PLLC  
179 Summers Street, Ste 209  
Charleston, WV 25301  
304-344-4822  
E-mail: [jcarr@jcarrlaw.com](mailto:jcarr@jcarrlaw.com)