WEST VIRGINIA CODE: §58-3-6

§58-3-6. Application to Supreme Court of Appeals when appeal refused by circuit court; action by Supreme Court of Appeals.

If the appeal be refused by the circuit court, the refusal shall be indorsed on the petition, which, together with the original record mentioned in section four of this article, may then be presented to the Supreme Court of Appeals, or a judge thereof in vacation. If the matter be one in which an appeal would lie to that court from a judgment of the circuit court affirming the action of the county court, the Supreme Court of Appeals, or judge thereof, may in such case allow or refuse the appeal, and, in case of allowance, the allowance shall be certified to the circuit court and the like proceedings shall be had in the circuit court as if the allowance were by the circuit court or judge.

WV Legislature