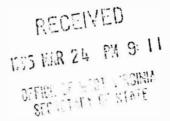
40 2338



### **WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1995** 

# ENROLLED

HOUSE BILL No. 2338

(By Delegate)	s. Trezios Genkins,	s Gal	lagher	Station	
Duckas	Amkins	Linch	andy	nerate	£\
evigues,				(3)-33	

Passed March 11, 1995
In Effect Minity Days Yrom Passage

#### **ENROLLED**

### H. B. 2338

(By Delegates Prezioso, Gallagher, Staton, Douglas, Jenkins, Leach and Mezzatesta)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article eight, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to dismissal of cases for failure to prosecute.

Be it enacted by the Legislature of West Virginia:

That section nine, article eight, chapter fifty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 8. ABATEMENT, REVIVAL, DISCONTINUANCE, RE-INSTATEMENT OF SUITS.

## §56-8-9. Discontinuance for failure to prosecute or pay court costs.

1 Any court in which is pending any case wherein for 2 more than one year there has been no order or proceeding

but to continue it, or wherein the plaintiff is delinquent in

- 4 the payment of accrued court costs, may, in its discretion,
- 5 order such case to be struck from its docket; and it shall
- 6 thereby be discontinued. A court making such order may
- 7 direct it to be published in such newspaper as it may
- 8 name.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman House Committee  Chairman House Committee
Originating in the House.
Takes affect ninety days from passage.  Clerk of the Senate
Clerk of the House of Peregates  Clerk of the House of Peregates  President of the Service  Speaker of the House of Delegates
The within is approved this the 24th
day of

PRESENTED TO THE

GOVERNOR

Date 2

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