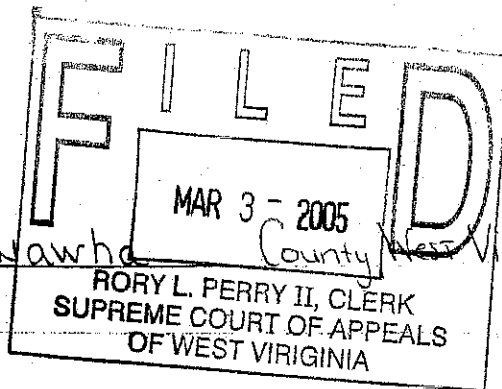


32664



In the Supreme Court of Kanawha County West Virginia

Michael W. Rogers # 33232

Petitioner

vs.

CASE NO. \_\_\_\_\_

(Honorable Judge Hill)

State of West Virginia

Respondants

MOTION TO Compel

Now comes Michael W. Rogers # 33232 herein after known as "Petitioner", Pro-Se and pursuant to the Due Process clause of the 14<sup>th</sup> Amendment of the Constitution and the rights to proper access to courts; files this "Motion to Compel".

Petitioner, who is indigent and incarcerated at the St. Marys Correctional Center, St. Marys, WV was convicted in the Wood County Circuit Court on August 14, 2002 before Judge George Hill, Felony docket number: # 02-F-18 and sentenced to a term of 1-15 years and 1-5 years, with said years to run consecutively.

Petitioner on August 14, 2004 Pro-Se; filed a "Post Conviction Writ of Habeas Corpus ad Subjiciendum within the Circuit Court before Judge George Hill and

to date, said petition has not been answered or ruled upon, in violation of his right to Due Process.

**THEREFORE;** Petitioner now asks this Honorable Supreme Court to exercise its proper jurisdiction and to direct, demand and compel the Circuit Court of Wood County West Virginia to immediately fully answer and rule by granting said relief or by denying Petitioners Writ of Habeas Corpus without merit thereof.

Petitioner avers that if the Circuit Court fails to answer Petition within (30) thirty calendar days after being ordered, demanded and compelled by the West Virginia Supreme Court; that they be held in contempt and sanctioned.

**WHEREAS;** Petitioner prays that this Honorable Court GRANT this "Motion to Compel".

Respectfully Submitted

2-23-05

DATE

Michael W Rogers 33232  
Michael Rogers #33232 Pro-Se

Mike Rogers #

23 February 05

St. Clair Court Center

8880 N. Pleasants Highway

St. Clair, WV 26170

Supreme Court Clerk:

Enclosed you will find (1) one original and  
(2) copies of my "Motion to Compel".

Please file these in your usual and customary  
manner + can you please send me back a copy  
if you "file-stamp" on it for my records?

Thank You!

Michael Rogers 33232  
Mike Rogers, Pro-Se