



SUPREME COURT OF APPEALS

CHARLESTON, WEST VIRGINIA
25305

JOSEPH P. ALBRIGHT

JUSTICE

September 9, 2008

The Honorable Elliott E. Maynard, Chief Justice
West Virginia Supreme Court of Appeals
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Mister Chief Justice:

I have been advised that my medical condition will likely not permit my full return to duty on the Court before the commencement of the January 2009 Term. While my powers of analysis are fully intact, it appears to be preferable for me to concentrate on the healing of my body and the restoration of my physical abilities.

Accordingly, I believe it is appropriate for me to recuse myself from all matters thus far presented to the Court in the September 2008 Term and all matters to be presented or in fact presented to the Court prior to the expiration of the September 2008 Term, including all matters carried over from the January 2008 Term. My present intention is to resume my full judicial duties at the Court in January 2009.

I earnestly request that the members of my staff, personal and per curiam, be retained in their present positions, if they so desire, maintaining current conditions and benefits of employment. In the event the Court intends to consider or take action with regard to personnel matters affecting my staff, salary or otherwise, I request the opportunity to be consulted. If my formal approval is required, I am fully capable of doing so upon your request.

Please convey my gratitude to all of the Court and Court staff for their expressions of concern. I am further appreciative of the Court's gracious consideration of these requests.

Sincerely,

A handwritten signature in cursive script that reads "Joseph P. Albright/psm".

Joseph P. Albright

JPA/psm

cc: Honorable Robin Jean Davis
Honorable Larry V. Starcher
Honorable Brent D. Benjamin
Rory L. Perry, Clerk
Bruce Kayuha, Chief Counsel