

FORMER WEST VIRGINIA SUPREME COURT JUSTICE ROBIN DAVIS FILES LAWSUIT OVER IMPEACHMENT

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CHARLESTON, W.Va. (WCHS/WVAH) — Retired West Virginia Supreme Court Justice Robin Davis joined the flurry of legal challenges to impeachment proceedings, filing a federal court complaint that seeks to have her impeachment trial halted.

Davis, who is set to go on trial in the Senate Oct. 29, filed the complaint in U.S. District Court in Charleston against West Virginia Gov. Jim Justice and members of the House of Delegates and Senate. She is accused of approving the overpayment of senior-status judges, OK'ing more than \$500,000 in office renovations and failing to properly oversee the Supreme Court.

In her complaint, Davis said the House “had no factual or legal basis” for impeaching the justices on any of the charges. She said the House knew the information it had was incomplete and that the legal basis for others was invalid. The former justice also argues that the facts cited to support impeachment “do not remotely rise to the level of impeachable conduct.”

“The House was not interested in investigating whether the facts warranted impeachment,” Davis’



complaint said. "Instead, it used these charges as a pretext to remove all four justices on West Virginia's highest court so the governor could replace the popularly elected justices with Republican men and create a conservative court for years to come."

Davis said in the complaint that it is improper to put "blame on any justice individually for conduct or an omission committed by the court collectively."

The complaint argues the articles of impeachment are invalid because the House failed to fully authorize them. Davis also claims the articles of impeachment are invalid because removal from office is the only remedy permitted by House rules, but removal is impossible in light of Davis' retirement as a justice.

In a fiery speech, [Davis announced Aug. 14](#) that she is retiring from the court.

The federal court complaint by Davis follows a series of legal challenges that Supreme Court Justice Margaret Workman filed in the Supreme Court that push for articles of impeachment against Workman to be thrown out. Workman also has filed a motion seeking to have her trial moved until after the Nov. 6 election.

Workman faces three articles of impeachment and is scheduled to go on trial Oct. 15. Justice Beth Walker, who faces one article of impeachment, goes on trial Oct. 1. Suspended Justice Allen Loughry, who faces seven articles of impeachment goes on trial Nov. 12.

Loughry also faces 25 federal charges and his criminal trial begins Oct. 2.