

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

2012 JAN 17 PM 2:07

STATE OF WEST VIRGINIA

January 13, 2012

ETHICS COMMISSION,

Petitioner,

v.

Civil Action # 11-MISC-620

(BAILEY)

ROGER L. WOLFE

Respondent.

CIVIL ACTION

RESPONSE TO PETITION TO ENFORCE FINAL ORDER OF THE WEST VIRGINIA
ETHICS COMMISSION

Respondent, in person and pro se, replies to Petitioner's Petition and avers and says as follows:

1. Respondent admits the allegations contained in paragraph number one (1) of the Petition,
2. Respondent admits the allegations contained in paragraph number (2) of the Petition,
3. Without waiving objection(s) there to Respondent admits the facts recited in paragraph number (3) of the Petition,
4. Respondent admits the allegations contained in paragraph number (4) in the Petition,
5. Respondent admits that he did not timely appeal the Commission's order, however Respondent's failure to appeal was predicated by his economic inability to do so.

6. Respondent asserts that Petitioner has failed to show a rational nexus between the mis-conduct alleged against the Respondent and the excessive amount in fines and reimbursement the Petitioner seeks.

Wherefore Respondent requests that this Court grant a hearing in this matter on the following issues:

1. The excessiveness of the fines and/or restitution ordered by the Commission,
2. The amount of any offset to which Respondent's pay be entitled by forgoing pay and benefits to which he was legally entitled during his tenure as Mayor,
3. The amount of any offset to which Respondent may be entitled as reimbursement for expenses lawfully incurred by Respondent during his tenure as Mayor,
4. Such other, further and general relief as to this Court may seem just and proper.

Respectfully Submitted,



Respondent

In person and Pro-se

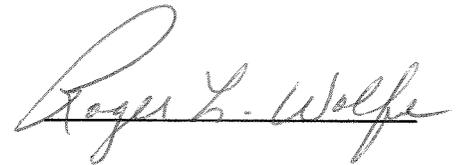
Roger L. Wolfe

524 22nd Street

Dunbar, West Virginia 25064

CERTIFICATE OF SERVICE

I, Roger L. Wolfe, do hereby certify that I served a true and exact copy of my response to the petition filed against me in Civil Action # 11-MISC-620 by the West Virginia Ethics Commission. I have also served a true and exact copy of my response to the West Virginia Ethics Commission by certified mail. I have filed my answer to the petition on this January 13, 2012 by 4:00 p.m.

A handwritten signature in cursive script that reads "Roger L. Wolfe". The signature is written in black ink and is positioned to the right of the main text block.