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Obtaining an Accident Report in West Virginia

After an accident, whether there are injuries or not, one of the most important pieces of documentation you will need to get is the accident report. The accident report, or sometimes called an accident exchange form, is filed by the responding law enforcement agency. Whether it be the Harrison County Sheriff, the State Police or a local officer, the report will be submitted within a few days from the accident depending on the workload of the officer.

Why is a copy of the accident report necessary?

Getting a copy of the accident report is important when filing an insurance claim. The insurance company is going to want a copy to help it determine who was at fault and who should be held liable for the accident. Many decisions are based on the report, and no payments will be made to the auto repair shop or any medical provider until the liability is determined. It might be a good idea to get a copy of the police report yourself to not only have the information but to move the process along with the insurance company.

Requesting a copy of the accident report can be different for each jurisdiction. Some city police require you to seek one in person, and some allow you to request one over the phone. Each request, regardless of where it is, will require a fee of some sort. The cost can be from \$20.00 up to several hundred dollars depending on the number of pages, pictures and other attachments with the report. It is best that you call the records office for the jurisdiction and ask them their process. West Virginia does not have a central database that can be accessed by local offices, so it is crucial that you know who responded to your accident.



Once you have determined who filed the report and had contacted that office to get a copy, you will then either need to go in person or send a written request with a check to that office. Depending on if the report is complete, you will then be provided with a copy of your report. Immediately make a copy of the report to present to the insurance company and possibly attorney.

The police report has the information needed for the insurance company to determine who is at fault. It also has the information that can be used to remind fading memories or to counter changing stories. As the official record, the police report will provide a foundation to build up your claim. Keep in mind, we have seen insurance companies still deny liability even when the police report is very clear.

If you would like us to evaluate a potential injury claim, reach out to us at (866)654-9352



The Miley Legal Group would like to thank everyone that provided referrals to our office this past month:

- Susan R.
- Kim R.
- Tammy M.
- Tom L.
- Cheryl K.

You Know: Halloween and the Jack-o-Lantern

Carving pumpkins has been a Halloween tradition in hundreds of homes in our area. Pulling out those goopy strings of seeds is a yearly ritual to have a lit up pumpkin on your porch to greet trick or treaters. But, did you know why and how the tradition began?

Jack-o-Lantern carving began centuries ago based on an Irish myth about a man nicknamed "Stingy Jack." Stingy Jack, as the story goes, tricked the Devil on a few separate occasions, bargaining with him that he would not take his soul. True



to his word after Jack died, the Devil did not want Jack's soul, and God would not allow such an unsavory character into Heaven.

Although the Devil would not claim his soul, he offered Jack a burning coal that Jack promptly put into a carved out turnip. That left Jack's soul to endlessly wander the Earth with his carved gourd. And that is why pumpkins are carved on Halloween.

On a side note, pumpkin pie was invented when colonists sliced the top of the pumpkin off, filled it with milk, spices and honey and then baked it in hot ashes!

Source: web.extension.illinois.edu/pumpkins/history.cfm

With two offices to serve you:

229 W. Main Street, Suite 400, Clarksburg, WV 26301
250 Scott Avenue, Suite 100, Morgantown, WV 26508

UPDATE: ELMIRON Lawsuit Moves Forward

More and more Elmiron lawsuits are being filed in the United States and Canada. Two class action lawsuits have been filed due to the alleged permanent vision damage caused by use of the drug Elmiron long term and short term.

In August of this year, two women filed a case against Johnson & Johnson, parent company, due to the lack of warning provided to those that took Elmiron to treat pain and discomfort of interstitial cystitis.



A British Columbia plaintiff, filed her lawsuit claiming that Elmiron directly caused vision damage called pigmentary maculopathy, which is a permanent vision-threatening disease caused by the active ingredient in Elmiron, pentosan polysulfate sodium (PPS).

Unfortunately, after studies have been shown that Elmiron and PPS cause vision damage, the product was not removed from shelves, and in fact, there still has not been a specific recall for the product due to the evidence found. Always follow your doctor's instructions, but it might be important to discuss any vision issues if you continue to take these types of drugs.

What can you do if you or a loved one has taken Elmiron and has been diagnosed with vision issues, including but not limited to pigmentary maculopathy? It is imperative that you reach out to our office for a free consultation immediately. There are specific records that must be gathered and preserved before being considered for the law suit. It is also important to have a full understanding of what will transpire as the cases move forward. Dial (304)326-1800 to speak with an attorney now.

Recent Reviews

★★★★★ "Haley and Keith were extremely professional and very easy to work with. I would recommend to all seeking injury representation to contact Miley Legal. They will not disappoint!" - John T. (Grafton)

★★★★★ "I appreciate the services offered by Miley Legal. The television commercial is correct, the insurance companies do not want to pay, but MLG can help!" - Stacey T. (Clarksburg)

★★★★★ "I am so happy with the turnout of my case. The bill collectors have stopped calling and I now have my car back!" - Thomas P. (West Union)

Pet Peeves: Halloween Pet Photo Contest!

That's right! A Halloween Pet Photo Contest! Snap a picture of your adorable pet in a costume (or you can use last year's photo) and submit it to our Facebook page. (Search: Miley Legal Group) and we will enter you and your friend into our contest.

Prize: \$50 Gift Card to Walmart or Target!

Where: The Miley Legal Group Facebook Page

How: Likes, Likes and More Likes...the pet photo with the most likes wins!

Deadline: Email the photo to MLG@mileylegal.com or send a message on our Facebook page and we will create a post to begin voting on October 31st. All pictures must be received by October 30th.

Any questions? Email MLG@mileylegal.com



Recipe of the Month: Buffalo Chicken Mac & Cheese

Ingredients:

- 1 lb package elbow macaroni
- 1 rotisserie-roasted chicken
- 6 Tbsp butter
- 6 Tbsp all-purpose flour
- 3 cups milk
- 1 pinch grd pepper
- 2 cups shredded Cheddar cheese
- 2 cups shredded Monterey Jack cheese
- 1/2 cup hot sauce
- 1/2 cup crumbled Gorgonzola cheese

Directions:

1. Bring a large pot of lightly salted water to a boil. Cook macaroni in boiling water, stirring occasionally until tender yet firm to bite, 8 minutes. Drain. While water is boiling, cut wings and legs off rotisserie chicken. Skin and bone wings and legs, chop dark meat into bite size pieces.
2. Melt butter in a dutch oven over med. heat. Whisk in flour gradually until a thick paste forms. Cook until golden, about 1 minute. Pour in milk, whisking constantly until thickened and bubbling. Reduce heat and season sauce with pepper.
3. Stir in cheeses and combine until melted. Stir in hot sauce to taste, add blue cheese, chicken and macaroni. Mix well to combine, serve warm.

Recipe & Picture Courtesy of Allrecipes.com. Submit recipes to mlg@mileylegal.com



Words of Encouragement

"His divine power has given us everything required for life and godliness"

- 2 Peter 1:3

"For though a righteous man falls seven times, he will rise again..."

- Proverbs 24:16

"When I am afraid, I will trust in you."

- Psalm 56:3

"I am not a product of my circumstances. I am a product of my decisions."

- F. Scott Fitzgerald

October's Cases of Interest

Left Hand Turn Leads to Motorcycle Accident

Recently motorcycle accidents in our region have been very prevalent. Just in the past month, we have seen or heard of over 15 accidents in a 50 mile radius. The most recent one directly impacted our client.

The accident occurred on Meadowbrook Rd where our client was out riding and enjoying his motorcycle. Unfortunately for him, another driver did not notice him and made a left turn directly in front of his bike causing him to strike the passenger side door and go flying over the vehicle and landing directly on the road.



Our client was taken to the hospital by ambulance and has undergone surgery to correct some of the damage.

As with most cases the amount of insurance that appears to be available may not fully compensate our client for the pain and suffering he sustained, his lost wages and even the replacement of his bike. We will continue to investigate what may be available as our client recovers.

This accident should remind our readers that it is important to review your insurance policies to ensure that if you ever find yourself under these circumstances, that you have the insurance needed to cover your liabilities.

Distracted Driver Runs Over State Road Flagger

Our client was working in Marion County on WV 310 as a flagger in an active construction zone. After turning his sign from stop to slow, the first vehicle in line went around our client.



Unfortunately, the second driver did not follow suit. On the police report, the second driver struck our client because he had just worked a late shift and "must have fallen asleep while waiting in line."

The driver's negligence required our client to be treated at the hospital and follow up visits to receive an MRI to review any potential damage to his knee.

Dog Bite Leads to Stitches and Back Injury

Our client was performing yard maintenance in the Bridgeport area running a weed eater when a dog approached him in an aggressive manner. He cut the weed eater off in case it was the loud noise that was scaring the dog. It ran away only to return and attack our client.

The dog bit our client on his inner thigh causing him to tumble backwards in agony. The mark was deep enough to require treatment at the ER.

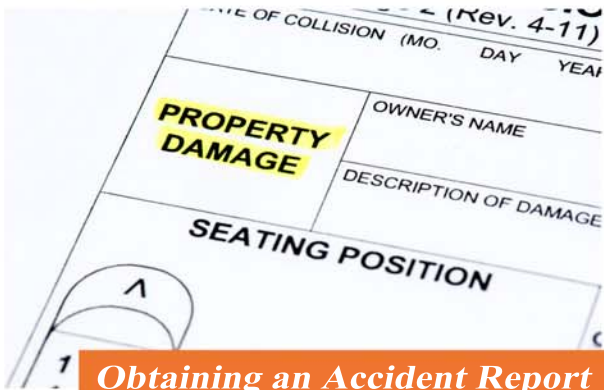
Once our client had tracked the dog back to its owner, she expressed no concern to his injuries and stated only that the dog had become more protective of her in recent months.



Unfortunately for our client he will have to miss some time at his two jobs due to the attack.



*Check out our blog at
MileyLegalBlog.com*



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Give this newsletter to a friend. They will thank you for it and so will I.

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

JUST



VOTE