

**IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA**

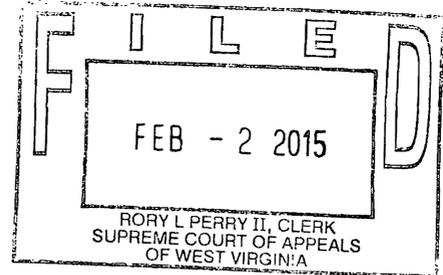
HERMAN TRACY FRENCH ON HIS OWN  
BEHALF AND IN BEHALF OF OTHER  
SIMILARLY SITUATED,

PETITIONER,

Vs.) NO. 14-0790

THE MERCER COUNTY COMMISSION AND  
MERCER COUNTY E-911,

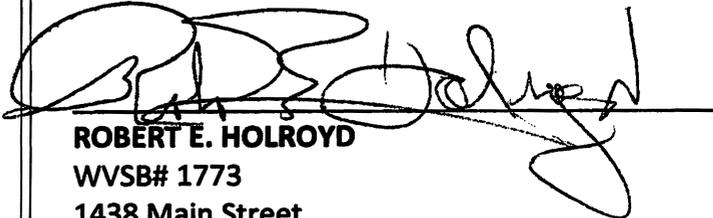
RESPONDENTS.



**RESPONDENTS' BRIEF**

**Counsel for Respondents, The Mercer County  
Commission and Mercer County E-911**

**JOHNSTON, HOLROYD & ASSOCIATES**

A large, stylized handwritten signature in black ink, appearing to read "Robert E. Holroyd", written over a horizontal line.

**ROBERT E. HOLROYD**  
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## **TABLE OF AUTHORITIES**

**W.Va. Code, Chapter 24, Article 6, Section b**

**W.Va. Code, Chapter 7, Article 1, Section 3cc**

**W.Va. Constitution, Article IX, Section 11**

**I.**

**RESPONSE TO ASSIGNMENT OF ERROR**

There are no errors in the actions of the Circuit Court in granting Summary Judgment.

**II.**

**RESPONSE TO THE STATEMENT OF THE CASE**

The factual assertions in the Statement of the Case are as stated. The conclusions adverse to the Petitioners are either not relevant or dealt with by the Judge in his order.

**III.**

**SUMMARY OF ARGUMENT**

Basically the Respondents did what was required by the Constitutional and Statutory Law in West Virginia, did it properly and without violating any law.

**IV.**

**STATE OF ORAL ARGUMENT**

Oral argument is not requested by the Respondents.

**V.**

**RESPONSE TO LAW AND ARGUMENT**

The Sunshine Law was fully complied with by the County Commission in the adoption of the 911 system (Code 24-6-6) as demonstrated by the Notice of Special Meeting posted on the doors of the County Courthouse, public meetings were held as provided by law.

West Virginia Law requires (emphasis applied) counties to regulate streets and roads to "City Type addressing." See West Virginia Code, Chapter 7, Article 1, Section 3 cc and West Virginia Constitution, Article IX, Section 11.

**VI.**

**CONCLUSION**

The Court below did not err in its ruling in granting Summary Judgment to the Respondents and this appeal should be DENIED.

Respectfully submitted,



ROBERT E. HOLROYD  
WVSB# 1773  
COUNSEL FOR THE RESPONDENTS

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VS: NO. 14-0790

THE MERCER COUNTY COMMISSION AND  
MERCER COUNTY E-911,

RESPONDENTS.

CERTIFICATE OF SERVICE

I, Robert E. Holroyd, attorney for the Respondents, do hereby certify that I served a true and correct copy of the foregoing RESPONDENTS' BRIEF, upon the following, by United States Mail, postage prepaid, on this the 29<sup>th</sup> day of January, 2015, addressed as follows:

R. Thomas Czarnik, Esq.  
205 South Walker Street  
Princeton, WV 24740  
304-425-2103

  
ROBERT E. HOLROYD  
COUNSEL FOR THE RESPONDENTS