

35552

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: THE MARRIAGE OF JEWELL K. WHITTAKER,

Petitioner,

vs.

Civil Action No: 05-D-331-S

ANDREW J. WHITTAKER,

Respondent.

ORDER

Reversing and remanding family court's order entered November 7, 2008 with respect to marital distribution;

Reversing family court order entered March 25, 2009, finding contempt

In accordance with the court's memorandum of December 1, 2009, incorporating therein the court's previous remand memorandum of August 27, 2008, revised September 2, 2008, all of which is incorporated herein, it is

ORDERED, pursuant to the above referenced remand memorandum of August 27, 2008, revised September 2, 2008, and the subsequent memorandum of December 1, 2009, that the family court's order entered November 7, 2008, with respect to marital distribution should be and it is hereby reversed, upon which it is further

ORDERED that the issue of marital distribution should be and it is hereby **REMANDED** to family court in accordance with this court's previous remand memorandum of August 27, 2008, revised September 2, 2008, and the order arising therefrom, and the subsequent memorandum of December 1, 2009, and it is further

ORDERED that the family court's order entered March 25, 2009, with respect to contempt should be and it is hereby reversed.

The circuit clerk is directed to mail a copy of this order to counsel of record and to the self-represented party.

ENTER: December 1, 2009

Entered in

Int. Order Book
No. 53 Page 318
This Wed 2 day of
December 2009


ROBERT A. BURNSIDE, JR.
CIRCUIT JUDGE