

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 22<sup>nd</sup> of April, 2011 the following order was made and entered:

State of West Virginia ex rel.,  
Larry F. Parsons, Executive Director of  
the Regional Jail and Correctional  
Facility Authority, Petitioner

vs.) No. 11-0693

Honorable Michael Thornsby, Judge  
of the Circuit Court of Mingo County,  
Respondent

On a former day, to-wit, came the petitioner Larry F. Parsons, by Chad M. Cardinal, his attorney, and presented to the Court his petition praying for a writ of prohibition to be directed against the respondent, Honorable Michael Thornsby, Judge of the Circuit Court of Mingo County, as therein set forth. On the same day, came the respondent, Honorable Michael Thornsby and presented to the Court his initial response thereto. Thereafter, came the petitioner, Larry F. Parsons, by Chad M. Cardinal and presented to the Court a supplemental pleading. Finally, on April 22, 2011, came the respondent, Honorable Michael Thornsby and presented to the Court his supplemental response to the writ of prohibition.

Upon consideration whereof, the Court is of opinion that a rule should be awarded herein. Justices Ketchum and McHugh would refuse. It is therefore considered and ordered that a rule do issue directed against the respondent returnable on May 25, 2011, to be submitted for decision upon the briefs without oral argument, commanding and directing the said respondent to show cause, if any he can, why a writ of prohibition should

not be awarded herein. It is further ordered that the contempt orders issued by the respondent with regard to Anthony Elkins, Zachary Bassham, and Richard Powers are hereby stayed pending the resolution of the petition for writ of prohibition. It is further ordered that the respondent file a response pursuant to Revised Rule 16 by May 6, 2011, along with a transcript of all proceedings. Any reply deemed necessary may be filed by the petitioner on or before May 13, 2011.

Service of a copy of this order upon the respondent aforesaid shall have the same effect as the service of a formal writ.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court

