

13-0387

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

GEORGE GROOMS, and
ANNIE GROOMS/Respondents
Plaintiffs,

v.

CIVIL ACTION NO.
09-C-AP-132

RS
2013 MAR 25 11:55
CATHY B
KANAWHA COUNTY CIRCUIT COURT

MILDRED GROOMS
Defendant/Petitioner

COURT'S OWN ORDER AGAIN ON GROOMS PROPERTY

Case Dismissed. RJK, Judge

On The 23rd day of January, 2013, came the defendant/petitioner, Mildred Grooms, in person and by counsel, John R. Mitchell, and the plaintiffs/respondents, George Grooms and Annie Grooms, in person and by counsel, Herbert L. Hively, II. Whereupon a hearing was held on the Second Petition for Contempt heretofore filed by the petitioner. After reviewing the evidence adduced and hearing the argument of counsel, the Court does hereby find as follows:

1. That George and Amy Grooms have again interfered with Mildred Grooms' free use of her life estate by obstructing the use of Ms. Grooms' driveway and yard, by threatening to enter her home, and by harassment of visitors, whether business or personal.
2. That George and Amy Grooms have an insurable interest in the property presently inhabited by Mildred Grooms. That further, the petition has a life estate in the property, and is to have quiet possession of such, without interference from the respondents or any on their behalf.

It is, therefore, **ORDERED** and **ADJUDGED**:

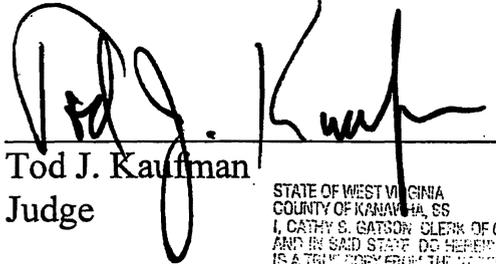
- A. That any maintenance or upkeep of the yard, and driveway shall be the responsibility of George and Annie Grooms, but they shall be respectful of Ms. Mildred Grooms when doing so.
- B. That the petitioner, Mildred Grooms, shall insure the residence she currently occupies and shall include the respondents on said policy. (A copy of the current insurance policy with changes is hereto attached)
- C. That the respondents, George and Amy Grooms, or anyone on their behalf, shall immediately cease and desist all harassment, direct or indirect, of the petitioner, and to allow her free and uninterrupted use of her home, her yard, and her driveway, for herself and her visitors.
- D. That if the respondents, their family members, or anyone on their behalf, continue to harass the petitioner that interferes with her quiet possession and use of the property, they shall be forthwith brought before this Court for a proper hearing and sanctions.

This case is hereby **DISMISSED**, unless further intervention from this Court is needed.

The Circuit Clerk shall send a certified copy of this Order to all parties of record below:

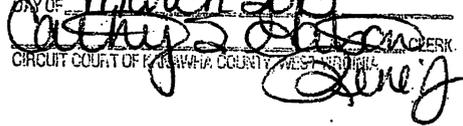
John R. Mitchell, Sr., Esquire
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206 Berkeley Street
Charleston, WV 25302

Herbert L. Hively, II, Esquire
179 Summers Street, Suite 201
Charleston, WV 25301



Tod J. Kaufman
Judge

ENTERED: March 22, 2013

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 25th
DAY OF March 2013

CATHY S. GATSON, CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA