

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 30th of October, 2014, the following order was made and entered:

State of West Virginia ex rel. the West Virginia Secondary Schools Activities Commission, David Cottrell, President, Mike Arbogast, Vice President, Gary Ray, Executive Director, Rick Jones, Dan Erenrich, Eddie Campbell, Gregory Prudich, Craig Lee Loy, Greg Webb, Robert Dunlevey, and Ronald Spencer, members,
Petitioners

vs.) No. 14-1045

Honorable David W. Hummel, Judge of the Circuit Court of Marshall County; and Pamela F., individually, and as parent and legal guardian of D.W., a minor,
Respondents

On October 17, 2014, the petitioners, the West Virginia Secondary Schools Activities Commission and its members, by counsel William R. Wooton, Wooton & Wooton, presented to the Court their petition praying for a writ of prohibition to be directed against the respondent, Honorable David W. Hummel, Judge of the Circuit Court of Marshall County, as therein set forth. Thereafter, on October 27, 2014, the respondents, Pamela F. and D.W., by counsel James G. Bordas, Jr. and Michelle Marinacci, Bordas & Bordas, PLLC, filed a respondents' brief.

Upon consideration, the Court is of the opinion that a rule should be awarded herein. It is therefore considered and ordered that a rule does hereby issue commanding and directing the said respondents, to show cause, if any they can, why a writ of

prohibition should not be awarded against Honorable David W. Hummel, Judge of the Circuit Court of Marshall County, as prayed for by the petitioners in the said petition.

It is further ordered that this matter shall be scheduled for consideration and oral argument under Rule 19 of the Rules of Appellate Procedure to be held on a date during the January 2015 Term of Court.

The Clerk will, at a later date, furnish counsel of record with a Notice of Argument pursuant to Rule 19(b), which will contain additional information regarding argument.

It is finally ordered that this matter shall be submitted on the pleadings previously filed, without further briefing.

A True Copy

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

