

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, March 9, 2016, the following order was made and entered:

State of West Virginia ex rel.
Judicial Investigation Commission,
Petitioner

vs.) No. 16-0223

The Putnam County Board of Ballot Commissioners
(The Honorable Brian Wood, Putnam County Clerk and Chairman;
Judy Jeffries, Member; and Joyce Surface, Member), and Troy Sexton,
Respondents

RULE TO SHOW CAUSE

On March 7, 2016, came the petitioner, Judicial Investigation Commission, by counsel, Teresa A. Tarr, Esq., and Brian J. Lanham, Esq., and presented to the Court a motion to expedite this matter. Upon consideration whereof, this motion is hereby granted. All dates previously set forth in the Court's March 7, 2016, Scheduling Order are amended as set forth herein.

Pursuant to Rule 2 of the Rules of Appellate Procedure, in the interest of expediting decision, briefing, and consideration in this matter, the parties are hereby ordered to proceed as set forth herein.

It is therefore ordered that the respondent Troy Sexton shall file a response to the petition for writ of mandamus, pursuant to Rule 16(g) R.A.P., or a summary response, pursuant to Rule 16(h) R.A.P., on or before noon on March 14, 2016. The remaining commission respondents may likewise file a response on or before noon on March 14, 2016.

Upon further review and 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 mandamus should not be awarded as prayed for by the petitioner in the said petition.

It is finally ordered that this matter shall be scheduled for oral argument under Rule 20 of the Rules of Appellate Procedure at 10 o'clock a.m. on Tuesday, March 15, 2016. Accompanying this order is the Notice of Argument pursuant to Rule 20(b).

Justice Benjamin has voluntarily recused himself from participating in this case. Judge Gary L. Johnson is sitting by temporary assignment.

A True Copy

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

