

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on the 15th day of January, 2016, the following order was made and entered:

State of West Virginia ex rel. Belinda Biafore,
Chair of the West Virginia State Democratic Committee;
and Stephen Davis, Linda Klopp, David Thompson,
Linda Phillips, Stephen Evans, and Patricia Blevins,
members of the West Virginia Democratic Executive
Committee for the Ninth Senatorial District,
Petitioners

vs.) No. 16-0013

Earl Ray Tomblin, Governor of the State of West Virginia;
and Beverly R. Lund, Justin M. Arvon, Sue “Naomi” Cline,
Tony Paynter, John Doe, and Jane Doe, members
of the West Virginia Republican Executive Committee
for the Ninth Senatorial District,
Respondents

State of West Virginia, by its Attorney General
Patrick Morrissey,
Intervenor

ORDER

On this day, January 15, 2016, the intervenor, State of West Virginia, by Elbert Lin, Solicitor General, and J. Zak Ritchie, Assistant Attorney General, filed an emergency motion for order of clarification, for the reasons set forth therein.

Upon consideration, the Court is of the opinion to and does hereby grant the motion. It is therefore ordered that appointment to the vacant seat in the Ninth Senatorial District shall be, and it hereby is, stayed until further order of this Court.

Justice Benjamin has voluntarily recused himself from participating in this proceeding.

A True Copy

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

