



DECISIONS, NOTICES AND ORDERS

Monday, September 24, 2012

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

George M. Whiting III v. Marion County Sheriff's Department, No. 11-0575 (Marion 09-P-124)
Affirmed (5-0)

Neil Williams v. David Ballard, Warden, No. 11-0889 (Ohio 10-C-434)
Affirmed (5-0)

Keith William DeBlasio v. Hon. Kermit Ambrose, Magistrate and Hon. Gregory L. Miller, Magistrate, No. 11-1075 (Morgan 11-P-1)
Dismissed as Moot (5-0)

Randall Jachelski v. Adrian Hoke, Warden, No. 11-1443 (Taylor 11-C-3)
Affirmed (5-0)

Arthur H. v. Lillian H., No. 11-1751 (Putnam 11-D-6)
Affirmed (5-0)

Sherri Shumate v. Raleigh County Board of Education and Charles R. Maynor, Principal of Woodrow Wilson High School, No. 11-1298 (Raleigh 10-C-558)
Affirmed (5-0)

Michael Ray Prince v. Board of Education of the County of Boone, No. 11-1300 (Kanawha 11-AA-49)
Affirmed (4-0)(Justice Workman disqualified)

State of West Virginia v. Delbert Ratliff, No. 11-1468 (Webster 10-F-47)
Affirmed (3-2)(Chief Justice Ketchum and Justice Benjamin dissenting)

In Re: B.B., No. 12-0250 (Cabell 09-JA-68)
Affirmed (5-0)

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In Re: O.M., No. 12-0591 (Clay 11-JA-126)
Affirmed (5-0)

In Re: Y.F. and S.F., No. 11-1536 (Kanawha 09-JA-54, 10-JA-11)
Affirmed (5-0)

In Re: A.L., K.R. and B.L., No. 12-0336 (Mercer 11-JA-175, 176, 177)
Affirmed (4-1)(Chief Justice Ketchum dissenting)

In Re: J.S., No. 12-0412 (Logan 10-JA-58)
Affirmed (5-0)

In Re: H.C. and S.C., No. 12-0471 (Wood 11-JA-111, 112)
Affirmed (5-0)

In Re: D.C. and C.C., No. 12-0474 (Randolph 10-JA-31, 32)
Affirmed (5-0)

In Re: J.H., C.H., P.H., No. 12-0568 (Mason 10-JA-25, 26, 27)
Affirmed (5-0)

In Re: J.H., C.H., P.H., No. 12-0569 (Mason 10-JA-25, 26, 27)
Affirmed (5-0)

In Re: P.B. and J.B., Jr., No. 12-0402 (Boone 10-JA-81, 82)
Affirmed (5-0)

In Re: B.B. and J.B., No. 12-0460 (Hampshire 11-JA-18, 19)
Affirmed (5-0)

In Re: C.H., G.M., L.H. and S.M., No. 12-0465 (Taylor 11-JA-22, 23, 24, 25)
Affirmed (5-0)

In Re: C.C., C.W. and M.A., No. 12-0483 (Nicholas 11-JA-5, 6, 7)
Affirmed (5-0)

In Re: Z.C., No. 12-0581 (Webster 11-JA-65)
Affirmed (5-0)

RULE 20 ARGUMENT GRANTED

The following case will be scheduled for Rule 20 oral argument on
the date stated:

State of West Virginia v. James Wilkerson, No. 11-1123 (Ohio 09-F-10)
Tuesday, January 15, 2013

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ORDERS

Orders of note were entered in the following cases:

State of West Virginia ex rel. Steven Douglas Shuck II v. David Ballard, Warden, No. 12-0687
(Original Habeas)
Petition refused (5-0)

State of West Virginia ex rel. Tony J. Walton v. David Ballard, Warden, No. 12-0735
(Original Habeas)
Petition refused without prejudice to re-file in circuit court in order to permit an evidentiary hearing on the allegation of ineffective assistance of counsel. (5-0)

State of West Virginia ex rel. Edra L. Smiley v. Hon. Paul Zakaib, Jr., Judge, No. 12-0259
(Original Prohibition)
Petition refused without prejudice to raise issues on appeal from a final circuit court decision.
(5-0)