



## DECISIONS, NOTICES AND ORDERS

**Tuesday, October 1, 2013**

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.

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### MEMORANDUM DECISIONS

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

Mark Forrest Jones v. Marvin Plumley, Warden, No. 12-1397 (Kanawha 04-MISC-225)  
Affirmed (5-0)

State of West Virginia v. Mitchell Coles, No. 13-0149 (Ohio 01-F-66)  
Affirmed (5-0)

In Re: B.F., B.F., Jr. and E.F., No. 13-0064 (Mercer 11-JA-92 through 11-JA-94)  
Affirmed (5-0)

In Re: A.H., S.W., and H.W., No. 13-0308 (Barbour 12-JA-11 through 12-JA-13)  
Affirmed (5-0)

In Re: C.R. and B.R., No. 13-0351 (Mingo 12-JA-36 through 12-JA-39)  
Affirmed (5-0)

In Re: W.S., W.V. and A.R., No. 13-0354 (Jackson 11-JA-17 through 11-JA-19)  
Affirmed (5-0)

In Re: J.M., No. 13-0439 (Braxton 11-JA-56, 11-JA-57)  
Reversed and Remanded (4-1)(Justice Loughry dissents)

In Re: M.R., No. 13-0493 (Mercer 11-JA-154)  
Affirmed (5-0)

In Re: Adoption of D.T., No. 12-1512 (Mercer 12-A-2)  
Affirmed (5-0)

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In Re: J.J., No. 13-0094 (Clay 12-JA-87)  
Affirmed (5-0)

In Re: J.M., No. 13-0269 (Mingo 12-JA-34)  
Affirmed (5-0)

In Re: S.S., No. 13-0295 (Barbour 11-JA-39)  
Affirmed (5-0)

In Re: P.S., T.S. and S.S., No. 13-0309 (Barbour 11-JA-37 through 11-JA-39)  
Affirmed (5-0)

In Re: B.N., D.S. and B.R.N., No. 13-0348 (Wood 11-JA-38, 11-JA-44, 12-JA-9)  
Affirmed (5-0)

In Re: V.W., No. 13-0410 (Gilmer 11-JA-18)  
Affirmed (5-0)

In Re: B.B., J.B., H.B. and L.M., No. 13-0432 (Calhoun 12-JA-72 through 12-JA-75)  
Affirmed (5-0)

In Re: B.B., J.B., H.B. and L.M., No. 13-0456 (Calhoun 12-JA-72 through 12-JA-75)  
Affirmed (5-0)

State of West Virginia v. Victor Paul Fowler, No. 12-1282 (Boone 01-F-116)  
Affirmed (5-0)

In Re: C.M., No. 13-0125 (Webster 11-JA-48)  
Affirmed (4-1) (Justice Ketchum dissenting)

In Re: C.M., No. 13-0134 (Webster 11-JA-48)  
Affirmed (4-1) (Justice Ketchum dissenting)

In Re: J.W., J.W. and J.S., No. 13-0389 (Ohio 12-JA-8 through 12-JA-10)  
Affirmed (5-0)

Kevin E. v. David Ballard, Warden, No. 12-1285 (Hampshire 10-C-15)  
Affirmed (5-0)

Robert Bowers III v. Marvin Plumley, Warden, No. 12-1314 (Kanawha 05-MISC-448)  
Affirmed (5-0)

State of West Virginia v. Robert A. Crabill, No. 12-1531 (Hampshire 08-F-32)  
Affirmed (5-0)

State of West Virginia v. Aaron Hartley, No. 13-0033 (Brooke 12-F-4)  
Affirmed (5-0)

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In Re: T.S. and C.S., No. 13-0163 (Hardy 12-JA-2, 12-JA-3)  
Affirmed (5-0)

In Re: T.S. and S.A., No. 13-0304 (Kanawha 11-JA-176, 11-JA-177)  
Affirmed (5-0)

In Re: S.A., No. 13-0353 (Kanawha 11-JA-177)  
Affirmed (5-0)

In Re: J.C., No. 13-0393 (Braxton 12-JA-21)  
Affirmed (5-0)

In Re: A.F., P.F. and J.F., No. 13-0401 (Logan 10-JA-21 through 10-JA-23)  
Affirmed (5-0)

In Re: B.K., No. 13-0455 (Barbour 12-JA-4)  
Affirmed (5-0)

Kevin Scott Jordan v. David Ballard, Warden, No. 12-1015 (Wood 09-P-45)  
Affirmed (5-0)

State of West Virginia v. Brittany S., No. 12-1043 (Mingo 12-F-52)  
Affirmed (4-1) (Justice Ketchum dissenting)

State of West Virginia v. Tiffany Lucas, No. 12-1399 (Cabell 11-F-318)  
Affirmed (3-2) (Justices Davis and Ketchum dissenting)

**RULE 19 ARGUMENT GRANTED**

The following cases will be scheduled for Rule 19 oral argument on a later date:

State of West Virginia v. Matthew J. Robey, No. 13-0081 (Roane 10-F-6)

In Re: B.C., No. 13-0383 (Ohio 12-CJA-20)

**ORDERS**

Orders of note were entered in the following cases:

SER Franklin E. Carter v. Hon. Jay M. Hoke, Judge, No. 12-1358 (Original Mandamus)  
Petition refused (5-0)

SER Andrew Wilson v. David Ballard, Warden, No. 13-0699 (Original Mandamus)  
Petition refused (3-2) (Justices Davis and Workman would grant)

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SER Michael C. v. George Trent, Administrator, No. 13-0736 (Original Habeas)  
Petition refused (5-0)

SER Kenneth A. Gibson v. Mavin Plumley, Warden, No. 13-0587 (Original Habeas)  
Petition refused (5-0)

SER Stephen Hartwell v. Patrick Mirandy, Warden, No. 13-0683 (Original Habeas)  
Petition refused (5-0)

SER Ro'Shawn M. Pannell v. Marvin Plumley, Warden, No. 13-0701 (Original Habeas)  
Petition refused (5-0)

SER David Lee Ramsey v. Patrick Mirandy, Warden, No. 13-0506 (Original Habeas)  
Petition refused (5-0)

SER Warren Hester v. Paul Flanagan, Circuit Clerk, No. 13-0581 (Original Mandamus)  
Petition refused (5-0)