



## DECISIONS, NOTICES AND ORDERS

**Monday, December 7, 2015**

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:

In Re: The Adoption of S.A.W., No. 14-0969 (Nicholas 13-A-5)  
Affirmed (5-0)

Carolyn Foose v. Karen L. Bowling, Cabinet Secretary, WV Department of Health and Human Resources, No. 14-1312 (Kanawha 11-AA-48)  
Affirmed (5-0)

Ricky Vincent Pendleton v. Wexford Health Sources, Inc., et al., No. 15-0014  
(Fayette 13-C-120)  
Affirmed (5-0)

Norman Ratliff, Jr. v. Stephany Tyson and Primecare Medical, Inc., No. 15-0309  
(Kanawha 14-C-2075)  
Affirmed (5-0)

Thomas Eugene Gardner, Jr. v. David Ballard, Warden, No. 15-0356 (Marion 15-C-21)  
Affirmed (5-0)

Dale P. Fields, Jr. v. M. Scott Villers, Administrator, Tygart Valley Regional Jail, No. 15-0016  
(Randolph 14-C-162)  
Reversed and Remanded (5-0)

Brenda S. Dotson v. Chelsey Cottrell Hamilton and Kathy Cottrell, No. 15-0296  
(Kanawha 14-C-2012)  
Affirmed, in part. Reversed, in part. Remanded (5-0)

Michael Gerber v. Cabot Oil & Gas Corporation and Columbia Gas Transmission Corporation,  
No. 15-0220 (Kanawha 13-C-1684)  
Affirmed (5-0)

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Jeff Wendell Johnson, Jr. v. Timothy H. Stone, No. 15-0243 (Kanawha 14-C-1728)  
Affirmed (3-2) (Justices Benjamin and Ketchum)

**ORDERS**

Orders of note were entered in the following cases:

State ex rel. John P. Montgomery v. The State of West Virginia, No. 15-0360  
(Original Coram Nobis)  
Petition refused (5-0)

State ex rel. Walter Frank Agee v. Patrick Mirandy, Warden, No. 15-0412  
(Original Habeas)  
Petition refused (3-2) (Justices Davis and Ketchum)

State ex rel. Milton Eugene Justice v. Patrick Mirandy, Warden, No. 15-0577  
(Original Habeas)  
Petition refused (5-0)