



DECISIONS, NOTICES AND ORDERS

Friday, November 6, 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.

REHEARINGS

The Court took the following action on a petition for rehearing:

Kenneth Edward Chance, Jr. v. David Tincher, Director of West Virginia Division of Purchasing, et al., No. 15-0297 (Kanawha 13-P-275)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

Billy Shaffer v. City of South Charleston, et al., No. 14-0954 (Kanawha 11-C-1368)
Affirmed (5-0)

David C. Tabb v. West Virginia Public Service Commission and the Jefferson County Commission, No. 15-0323 (Public Service Commission appeal)
Affirmed (5-0)

David C. Tabb v. West Virginia Public Service Commission and Frontier Communications of West Virginia, No. 15-0324 (Public Service Commission appeal)
Affirmed (5-0)

Brian L. v. Heather E., No. 14-1155 (Cabell 13-D-886)
Affirmed (3-1) (Justice Benjamin dissenting) (Justice Loughry did not participate in the consideration or decision of this matter.)

Jane Ellen Cashion, Executrix of the Estate of Nancy C. Cashion v. John Brent Cashion and Joseph Bruce Cashion, et al., No. 15-0048 (Fayette 14-C-90)
Affirmed (5-0)

State of West Virginia v. Bobby Bolen, Sr., No. 14-0224 (McDowell 13-AP-153, 14-AP-1)
Reversed and Remanded (5-0)

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Marcie D. Weyer and Tomar Rentals, LLC v. Wood County Commission, No. 14-1167
(Wood 10-C-345)
Affirmed (3-2) (Chief Justice Workman and Justice Davis dissenting)

Ricky Vincent Pendleton v. David Ballard, Warden, No. 14-1307 (Berkeley 14-C-639)
Affirmed (5-0)

Donald Taylor v. Anthony Leonard, Administrator, No. 15-0206 (Kanawha 14-P-342)
Affirmed (5-0)

Terry Amaker and Sonya Amaker v. Hammond's Mill Homeowners Association, Inc.,
No. 15-0203 (Berkeley 13-C-797)
Affirmed (5-0)

Miguel Delgado v. David Ballard, Warden, No. 15-0034 (Fayette 14-C-339)
Affirmed (5-0)

Richard M. v. Marvin Plumley, Warden, No. 15-0148 (Harrison 13-C-97-3)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on
the dates stated:

State of West Virginia v. Matthew Feicht, No. 15-0112 (Monongalia 14-M-AP-11)
January 26, 2016

Christopher J. Wallace and The Wallace Firm, PLLC v. Raymond A. Hinerman and
Hinerman & Associates, PLLC, No. 14-1333 (Hancock 13-C-56)
February 9, 2016

State of West Virginia v. William N. Fykes, No. 13-0421 (Cabell 12-F-128, 12-F-444)
February 9, 2016

Polly Sue Pickens v. Murl Louise Tribble and Janet Pearl Sargent, No. 14-1060)
(Mason 06-C-178)
February 10, 2016

State of West Virginia v. Julia Surbaugh, No. 14-0890 (Webster 10-F-14)
February 10, 2016

Allegheny County Farms, Inc. v. Darris Huffman and Neutulia Huffman, No. 14-1106
(Monroe 08-C-65) **AND**
Allegheny County Farms, Inc. v. Ethel Huffman Carper, No. 15-0189 (Monroe 06-C-44)
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Lawyer Disciplinary Board v. Heidi M. Georgi Sturm, Nos. 14-0749 and 15-0009
(Lawyer Disciplinary)
February 23, 2016

RULE 20 ARGUMENT GRANTED

The following cases will be scheduled for Rule 20 oral argument
on the dates stated:

State ex rel. Mark A. Sorsaia, Prosecuting Attorney v. Hon. Phillips M. Stowers, Judge;
and Caleb Toparis, No. 15-0940 (Original Prohibition)
January 20, 2016

State of West Virginia v. Anthony A., No. 15-0420 (Certified Question)
February 9, 2016

Martha Knotts v. Grafton City Hospital, No. 14-0752 (Taylor 12-C-66)
Petition for rehearing granted.
February 9, 2016

Old Republic Insurance Company v. Jason D. O'Neal, et al., No. 15-0012
(Wyoming 10-C-20)
February 10, 2016

ORDERS

Orders of note were entered in the following cases:

State ex rel. Jerel Addison Garner v. West Virginia Parole Board, No. 15-0497
(Original Mandamus)
Petition refused (5-0)

State ex rel. Blackrock Capital Investment Corporation and 52nd Street Advisors, LLC v.
Hon. Ronald E. Wilson, Judge, et al., No. 15-0797 (Original Prohibition)
Petition refused (4-1) (Justice Ketchum)

State ex rel. AL Solutions, Inc. v. Hon. Ronald E. Wilson, Judge, et al., No. 15-0897
(Original Prohibition)
Petition refused (5-0)

William Douglas Brown and Brenda Harriett Brown v. Smith McCausland, No. 14-0956
(Mason 11-C-71)
Motion to reconsider stay of the mandate refused. (5-0)