



DECISIONS, NOTICES AND ORDERS -

Friday, October 16, 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 petitions for rehearing:

State of West Virginia v. Jamal A. Azeez, No. 14-0951 (Raleigh 87-F-546)
Petition refused (5-0)

Kenneth Edward Chance v. Cheryl Chandler, et al., No. 15-0340 (Kanawha 14-C-1830)
Petition refused (5-0)

Roy Montgomery v. Vince Bruno Construction, LLC, No. 14-0949 (Brooke 09-C-208)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

State of West Virginia v. Tanya Jean Parker-Bowling, No. 14-1015 (Raleigh 10-F-300)
Affirmed (3-2) (Justices Davis and Ketchum dissenting)

Deborah Ann Belford and Sharon S. Davis Hudspeth v. Pamela Casto, Trustee for the Jennings - Bryan Hedrick Trust, No. 14-1218 (Putnam 14-C-13) -
Affirmed (4-1) (Chief Justice Workman dissenting) -

Myra Kay Reilley v. Brad Carpenter and Ridgetop Capital II, LLP, No. 14-1260 -
(Marshall 11-C-123) -
Affirmed, in part. Remanded (5-0) -

State of West Virginia v. Terry Watts, Sr., No. 14-0892 (Ohio 13-F-97)
Affirmed (5-0)

State of West Virginia v. Kendrick Bernard Morris, No. 14-1038 (Mercer 14-F-64)
Affirmed (5-0)

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Carissa Hammonds and Daniel Hammonds v. Riverview Cemetery Association and Five Oaks - Management, LLC, No. 14-1338 (Wood 12-C-591) -
Affirmed (5-0) -

A2C2 Partnership, LLC v. Constellation Software Inc., No. 14-0960 (Kanawha 12-C-2572)
Affirmed (4-1) (Justice Davis dissenting)

Tina Marie Leffingwell v. SWVA, Inc., No. 14-1061 (Cabell 11-C-446)
Affirmed (4-1) (Justice Davis dissenting)

State of West Virginia v. Eddie Coffey, No. 14-0806 (McDowell 13-F-14)
Affirmed (5-0)

John Palmer, et al. v. John Renner, et al., No. 14-1111 (Monongalia 12-C-42)
Affirmed (3-2) (Chief Justice Workman and Justice Davis dissenting)

Pancakes, Biscuits and More, LLC v. The Pendleton County Commission, No. 14-1263 -
(Pendleton 13-C-31) -
Affirmed (5-0) -

Asset Acceptance, LLC v. Walter Grove, No. 14-1265 (Mineral 14-C-23)
Affirmed (4-1) (Justice Davis dissenting)

State of West Virginia v. Delbert Reed, No. 14-1153 (Hancock 13-F-136, 11-F-45)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

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

State ex rel. American Electric Power, et al. v. Hon. David W. Nibert, Judge, et al., -
No. 15-0819 (Original Prohibition) -
January 13, 2016 -

State ex rel. Rajai T. Khoury, M.D. v. Hon. Jason A. Cuomo, Judge, et al., No. 15-0852
(Original Prohibition)
January 13, 2016

Jennifer N. Taylor and Susan S. Perry v. WV Department of Health and Human Resources, et al., No. 14-0679 (Kanawha 12-C-2029 and 12-C-2031)
January 20, 2016

State of West Virginia v. Chris Wade Fleming, No. 14-1141 (Hampshire 13-F-04)
January 20, 2016

Wheeling Park Commission v. Joseph Dattoli and Kerry Dattoli, No. 14-1332 (Ohio 09-C-274)
January 20, 2016

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Gerald Phillips and Teresa Phillips v. Joshua Stear and State Farm Mutual Insurance Company, -
No. 15-0011 (Kanawha 11-C-85) -
January 26, 2016 -

RULE 20 ARGUMENT GRANTED

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

John Doe, an unknown driver v. Hasil Pak, No. 15-0013 (Monongalia 11-C-621)
January 20, 2016

Mary Lola Ryan, a protected person, et al. v. Benedum Airport Authority and The Trasher
Group, Inc., No. 14-1334 (Harrison 12-C-161)
January 26, 2016

ORDERS

Orders of note were entered in the following cases:

State ex rel. Michael C. Folk v. West Virginia Board of Education and Michael Martirano, -
No. 15-0729 (Original Mandamus) -
Petition refused (5-0) -

State ex rel. Interiors Plus, LLC, et al. v. Hon. James C. Stucky, Judge, et al., No. 15-0826 -
(Original Prohibition) -
Petition refused (3-2) (Justices Benjamin and Ketchum) -

In Re: T.H., No. 15-0740 (Ohio 14-CJA-64)
Dismissed (5-0)

State ex rel. Neil Williams v. Patrick Mirandy, Warden, No. 15-0494 (Original Habeas)
Dismissed (5-0)