



## DECISIONS, NOTICES AND ORDERS

**Tuesday, October 20, 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.

---

### MEMORANDUM DECISIONS

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

James Forest Tincher v. Dennis Dingus, Warden, No. 15-0295 (Kanawha 15-P-86)  
Affirmed (5-0)

State of West Virginia v. Lewis Kelly Dailey, No. 14-0807 (Marion 14-F-36)  
Affirmed (5-0)

State of West Virginia v. Joshua Bowman, No. 15-0030 (Ohio 12-F-83)  
Affirmed (5-0)

Edwin E. Staats v. Jackson County Board of Education, No. 15-0227 (Kanawha 14-AA-69)  
Affirmed (4-0) (Chief Justice Workman disqualified)

In Re: B.B., No. 15-0406 (Preston 14-JA-37)  
Affirmed (5-0)

In Re: C.K., No. 15-0419 (Marion 13-JA-39)  
Affirmed (5-0)

In Re: S.V. and H.V., No. 15-0472 (Mineral 14-JA-2, 14-JA-3)  
Affirmed (5-0)

In Re: A.H., No. 15-0504 (Kanawha 14-JA-420)  
Affirmed (5-0)

In Re: B.O. and B.O., No. 15-0610 (Clay 15-JA-2, 15-JA-3)  
Affirmed (5-0)

In Re: Z.O., No. 15-0079 (Monroe 13-JA-02)  
Affirmed (5-0)

ORDER LIST  
October 20, 2015  
Page 2

In Re: P.H., No. 15-0362 (Cabell 13-JA-151)  
Affirmed (5-0)

In Re: M.T., J.P., and A.D., No. 15-0444 (Harrison 14-JA-93 through 14-JA-95)  
Affirmed (5-0)

In Re: G.W., P.W., A.W., and B.W., No. 15-0465 (Mineral 13-JA-12 through 13-JA-15)  
Affirmed (5-0)

In Re: G.W., P.W., A.W., and B.W., No. 15-0467 (Mineral 13-JA-12 through 13-JA-15)  
Affirmed (5-0)

In Re: A.R., M.L., B.L., and J.L., No. 15-0557 (Wyoming 14-JA-1 through 14-JA-4)  
Affirmed (5-0)

In Re: B.B., No. 15-0592 (Logan 14-JA-69)  
Affirmed (5-0)

Gary Elmer Tacy v. Patrick Mirandy, Warden, No. 15-0041 (Randolph 13-C-5)  
Affirmed (5-0)

State of West Virginia v. Kenneth D. Black, No. 15-0007 (Fayette 14-F-87)  
Affirmed (5-0)

State of West Virginia v. Erik Monroe Brown, No. 15-0023 (McDowell 13-F-249)  
Affirmed (5-0)

In Re: J.C., No. 14-1204 (Mingo 14-JA-47)  
Affirmed (5-0)

In Re: J.L. and J.L., No. 15-0199 (Cabell 13-JA-218, 13-JA-219)  
Affirmed (5-0)

State of West Virginia v. Lynda R. Farley, No. 14-0132 (Preston 13-M-AP-2)  
Affirmed (5-0)

State of West Virginia v. David Allen Warburton, No. 14-0625 (Mercer 13-F-359)  
Affirmed (5-0)

State of West Virginia v. Jason D. Fields, No. 14-0726 (Putnam 13-F-145)  
Affirmed (5-0)

In Re: A.B., No. 15-0004 (Gilmer 13-JA-15)  
Affirmed (5-0)

In Re: N.U., No. 15-0032 (Mingo 14-JA-50)  
Affirmed (5-0)

ORDER LIST  
October 20, 2015  
Page 3

David M. Wasanyi v. Rite Aid Corporation, No. 14-0844 (Berkeley 12-C-806)  
Affirmed (5-0)

Wanda R. Williams v. Raleigh County Board of Education, No. 14-0958 (Kanawha 14-AA-39)  
Affirmed (4-0) (Chief Justice Workman disqualified)

In Re: S.W., No. 15-0166 (Jackson 14-JA-51)  
Affirmed (5-0)

In Re: S.W., No. 15-0167 (Jackson 14-JA-51)  
Affirmed (3-2) (Justices Davis and Ketchum dissenting)

In Re: S.S. and R.S., No. 15-0254 (Webster 14-JA-23 and 14-JA-24)  
Affirmed (4-1) (Justice Ketchum dissenting, writing separately)

State of West Virginia v. Luther Franklin Meadows, No. 14-0952 (McDowell 10-F-50)  
Affirmed (4-1) (Justice Ketchum dissenting, writing separately)

**RULE 19 ARGUMENT GRANTED**

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

In Re: C.M., D.M., and E.M., No. 15-0451 (Wood 14-JA-60 through 14-JA-62)  
January 13, 2016

**ORDERS**

Orders of note were entered in the following cases:

State ex rel. Jeffrey L. Chambers v. Benita F. Murphy, Chairperson, West Virginia Board of Probation and Parole, No. 15-0413 (Original Mandamus)  
Petition refused (5-0)

State ex rel. Max Arbaugh v. Hon. Charles E. Parson, Judge, No. 15-0545  
(Original Mandamus)  
Petition refused (5-0)

State ex rel. Peter Anderson v. Hon. Alfred Ferguson, Judge, No. 15-0645  
(Original Mandamus)  
Petition refused (5-0)

State ex rel. Nathaniel Todd Barnett v. Dennis Dingus, Warden, No. 15-0586  
(Original Habeas)  
Petition refused (5-0)

State ex rel. Phillip Scott Barnett v. Dennis Dingus, Warden, No. 15-0587  
(Original Habeas)  
Petition refused (5-0)

ORDER LIST  
October 20, 2015  
Page 4

State ex rel. Larry D. Hall II v. Benita F. Murphy, Chairperson, West Virginia Board of Probation and Parole, No. 15-0452 (Original Mandamus)  
Petition refused (3-2) (Justices Davis and Ketchum)

State ex rel. Stephen M. Luci v. Hon. Russell M. Clawges, Jr., Judge, No. 15-0473 (Original Mandamus)  
Petition refused (5-0)

State ex rel. Stephen M. Luci v. Hon. Russell M. Clawges, Jr., Judge, No. 15-0474 (Original Mandamus)  
Petition refused (5-0)