



DECISIONS, NOTICES AND ORDERS

Friday, January 17, 2014

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:

Daniel J. v. David Ballard, Warden, No. 13-0329 (Kanawha 12-MISC-143)
Affirmed (5-0)

State of West Virginia v. Jeffrey Alan B., No. 13-0150 (Harrison 12-F-167)
Affirmed (5-0)

State of West Virginia v. Tonya Alisa Ramsey, No. 13-0333 (Gilmer 12-F-6)
Affirmed (5-0)

State of West Virginia v. John Walters, No. 13-0396 (Berkeley 12-F-175)
Affirmed (5-0)

State of West Virginia v. Robert Bowers III, No. 13-0408 (Kanawha 98-F-50)
Affirmed (5-0)

In Re: S.L. and T.L., No. 13-0720 (Clay 12-JA-142, 12-JA-143)
Affirmed (5-0)

In Re: M.M. and M.M., Nos. 13-0819 and 13-0830 (Kanawha 11-JA-181, 12-JA-218)
Affirmed (5-0)

In Re: K.H., II, E.M., and E.L.M., No. 13-0835 (Ritchie 12-JA-1, 12-JA-2, 12-JA-16)
Affirmed (5-0)

In Re: A.U., No. 13-0916 (Raleigh 13-JA-23)
Affirmed (4-1) (Justice Ketchum dissenting)

\$3,860 in U.S. Currency v. Amy Mann, Prosecuting Attorney, No. 13-0631 (Summers 08-P-13)
Affirmed (5-0)

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In Re: G.J., Nos. 13-0566 and 13-0771 (Kanawha 12-JA-78)
Affirmed (5-0)

In Re: J.C., Jr., No. 13-0859 (Jackson 13-JA-1)
Affirmed (5-0)

State of West Virginia v. Shawn Hann, No. 13-0419 (Morgan 10-F-42)
Affirmed (5-0)

In Re: I.H., No. 13-0635 (Taylor 12-JA-17)
Affirmed (5-0)

In Re: L.W., R.W., and I.H., No. 13-0651 (Taylor 12-JA-15 through 12-JA-17)
Affirmed (5-0)

In Re: H.C. and I.K., No. 13-0818 (Calhoun 12-JA-10, 12-JA-11)
Affirmed (5-0)

In Re: P.T. and G.T., No. 13-0881 (Kanawha 13-JA-2, 13-JA-3)
Affirmed (5-0)

In Re: E.T. and R.B., Jr., No. 13-0625 (Logan 11-JA-102, 11-JA-103)
Affirmed in part, Remanded in part (Justices Workman and Loughry dissenting in party and concurring in part)

In Re: S.D., R.D. and L.D., No. 13-0646 (Raleigh 10-JA-14, 10-JA-16, 10-JA-17)
Affirmed (5-0)

In Re: E.T., and R.B., Jr., No. 13-0687 (Logan 11-JA-102, 11-JA-103)
Affirmed in part, Remanded in part (Justices Workman and Loughry dissenting in party and concurring in part)

In Re: J.H., J.H., and J.H., No. 13-0702 (Mercer 11-JA-58, 11-JA-59, 13-JA-6)
Affirmed (5-0)

In Re: H.S. and H.S., No. 13-0857 (Randolph 12-JA-38, 12-JA-39)
Affirmed (5-0)

Eldon Haught v. Mary Haught, No. 13-0177 (Ritchie 04-D-8)
Reversed and Remanded (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. Rebecca J. Ferguson, No. 13-0311 (Berkeley 11-F-46)
April 7, 2014 – LAWS Program at the Boone County Courthouse in Madison, West Virginia

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RULE 20 ARGUMENT GRANTED

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

State of West Virginia v. Anthony Soustek, No. 13-0367 (Morgan 12-F-85)
March 25, 2014

ORDERS

Orders of note were entered in the following cases:

Brasham M. Beverly v. David Ballard, Warden, No. 13-0666 (Kanawha 13-P-291)
Remanded to the circuit court for resentencing and appointment of counsel for purposes of appeal. (4-1) (J. Loughry would affirm in a memorandum decision)

SER Amos Gabriel Hicks v. Hon. Booker T. Stephens, Judge, No. 13-0915 (Original Mandamus)
Petition refused (4-1) (Chief Justice Davis would set for Rule 19 argument)

SER William Jones v. Mark Williamson, Warden, No. 13-0949 (Original Habeas)
Petition refused (5-0)

SER Richard Smallwood v. Barbara Core, Clerk of the Circuit Court of Marion County,
No. 13-0967 (Original Mandamus)
Petition refused (5-0)

SER Larry Paul McClure v. West Virginia Parole Board, No. 13-1034 (Original Mandamus)
Petition refused (5-0)

SER Patrick Shane Collins v. John Hinzman, Clerk of the Circuit Court of Lewis County,
No. 13-1033 (Original Mandamus)
Petition refused as moot (5-0)