



DECISIONS, NOTICES AND ORDERS

Monday, February 24, 2020

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:

Randy C. v. Russell Maston, Superintendent, No. 18-0102 (Cabell 14-C-732, 17-C-643)
Petition refused (5-0)

Timothy Newton v. Morgantown Machine & Hydraulics of West Virginia, Inc. and Swanson Industries, Inc., No. 18-0653 (Monongalia 18-C-117)
Petition refused (3-2) (Justices Workman and Hutchison would grant.)

Mine Temp, LLC v. Wells Fargo Insurance Services of West Virginia, Inc., No. 18-0755 (Barbour 10-C-23)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

J.F. v. F.C., No. 18-0756 (Tucker 17-DV-16)
Affirmed (5-0)

Russell Van Camp, et al. v. Timothy McIntyre, No. 18-0760 (Tyler 16-C-43)
Affirmed (5-0)

State of West Virginia v. Erick Shute, No. 18-0969 (Morgan 17-F-18)
Affirmed (5-0)

Ashlee Hull and Misty Adkins v. Dr. Muhammed Samar Nasher-Alneam, et al., No. 18-1028 (Kanawha 18-C-673)
Affirmed (4-0) (Justice Workman disqualified)

State of West Virginia v. Michael Taber, No. 19-0502 (Contempt Proceedings)
Jonathan Fittro, Esq., counsel for the petitioner, held in contempt and sanctions imposed. (5-0)

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Clayton M. v. Charles Williams, Superintendent, No. 19-0782 (Contempt Proceedings)
Dennis J. Willett, Esq., counsel for the petitioner, held in contempt and sanctions imposed.
(5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument:

State ex rel. Rhonda L. Wade, Prosecuting Attorney v. Hon. David W. Hummel, Jr.; and H.D., No. 19-1047 (Original Prohibition)

State ex rel. T.K. v. Hon. Lora A .Dyer, Judge, et al., No. 19-1135 (Original Prohibition)

State ex rel. Betsy Jividen v. Hon. Joanna Tabit, Judge; and Miguel Delgado, No. 19-1114
(Original Prohibition)

J.F. Allen Corporation v. The Sanitary Board of the City of Charleston and Burgess and Niple, Inc., No. 19-0369; Burgess and Niple, Inc. v. J.F. Allen Corporation, No. 19-0394; and The Sanitary Board of the City of Charleston v. J.F. Allen Corporation, No. 19-0398
(Kanawha 14-C-1182)
Consolidated

RULE 20 ARGUMENT GRANTED

The following case will be scheduled for Rule 20 oral argument:

The Wall Guy, Inc., Jeffrey Frye, and JR Contractors v. The First State Bank, No. 19-0310
(Cabell 16-C-027)

ORDERS

Orders of note were entered in the following cases:

State ex rel. Johnstone & Gabhart, LLP, et al. v. Hon. Tod Kaufman, Judge, et al., No. 19-0928
(Original Prohibition)
Petition refused (5-0)

State ex rel. Quantel Saunders v. Hon. Thomas H. Ewing, Judge, et al., No. 19-1084
(Original Prohibition)
Petition refused (5-0)