



DECISIONS, NOTICES AND ORDERS

Monday, March 23, 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:

John C. Scotchel v. State Farm Mutual Automobile Insurance Company, No. 18-1029
(Marion 16-C-269)
Petition refused (4-0) (Justice Workman disqualified)

Keith D. v. Donnie Ames, Superintendent, No. 16-0860 (Cabell 15-C-337)
Petition refused (5-0)

Richard H. v. Rachel B., No. 18-1004 (Berkeley 16-C-121)
Petition refused (5-0)

David Lawrence Dixon v. Donnie Ames, Superintendent, No. 18-0097 (McDowell 05-C-93)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

State of West Virginia v. Steven R. Matulis, No. 18-1053 (Kanawha 18-F-278)
Affirmed (5-0)

State of West Virginia v. Jesse C., No. 19-0078 (Mercer 17-F-309)
Affirmed and remanded for lifetime registration (5-0)

Steven Offutt v. ELSS Executive Reporting, No. 19-0194 (Jefferson CC-19-2017-C-159)
Affirmed (5-0)

State of West Virginia v. Ethan S., No. 19-0071 (Hancock 17-F-21)
Affirmed (5-0)

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Steven Buck, Terry Stewart, and William Jones v. Brooke County Board of Education, Ronald Staffileno, and Kathy Kidder-Wilkerson, No. 18-1046 (Brooke 14-C-59)
Affirmed (5-0)

Yesterday Delivery Service and Norman Ryder, Jr. v. Barbra Weiss, Executor of the Estate of Daniel Weiss, No. 19-0164 (Kanawha 10-C-1892)
Affirmed (5-0)

Shana L. and Jason C. v. Carissa M., No. 18-0988 (Upshur 18-C-AP-1)
Affirmed (5-0)

State of West Virginia v. Aaron Miles, No. 18-0043 (Cabell 16-F-316)
Affirmed (5-0)

State of West Virginia v. Mariya Jones, No. 18-0162 (Cabell 16-F-315)
Affirmed (5-0)

Amalia Savelli v. Robert and Carol Messick, Nos. 18-0463 and 18-0790
(Berkeley CC-02-2017-C-439)
Affirmed (5-0)

Martinsburg IRS OC, LLC v. Berkeley County Board of Assessment Appeals, No. 19-0193
(Berkeley CC-02-2018-P-452)
Affirmed (5-0)

Blake Burr v. Discover Bank, No. 19-0195 (Kanawha 16-C-1579)
Affirmed (5-0)

Thomas B. v. Donnie Ames, Superintendent, No. 18-0980 (Marion CC-24-2011-C-320)
Affirmed (5-0)

Dean Miner v. The West Virginia Racing Commission, et al., No. 18-1081 (Ohio 15-C-222)
Affirmed (5-0)

Mimi's Inc. and Harold Arbaugh v. BAI Riverwalk, LP, et al., No. 18-0775 (Kanawha 14-C-513)
Affirmed (5-0)

Keith Tritapoe v. Old Republic National Title Insurance, No. 19-0100 (Berkeley 18-C-58)
Affirmed (5-0)

Zane Metz Jr., et al. v. The First State Bank, No. 19-0131 (Cabell 15-C-742)
Affirmed (4-0) (Chief Justice Armstead disqualified)

Nathan S. v. Tom Harlan, Interim Superintendent, No. 17-1083 (Berkeley CC-02-2015-C-65)
Affirmed (5-0)

State of West Virginia v. Billy Evans, No. 18-1044 (Berkeley 17-F-235)
Affirmed (5-0)

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David Manns v. C.O. Harold Preece, et al., No. 18-0425 (Kanawha 16-C-409)
Affirmed (5-0)

Theodore and Nora Hoffert v. Kimes Steel, Inc., No. 19-0308 (Mason 16-C-72)
Affirmed (5-0)

State of West Virginia v. G.M., No. 19-0108 (Cabell 16-F-340)
Affirmed (5-0)

Stanford Allen v. Donnie Ames, Superintendent, No. 18-0886 (McDowell 10-C-85)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on a later date:

State ex rel. Monster Franchise, LLC v. Hon. Jeffrey Cramer, Judge; and David Duvall,
No. 20-0044 (Original Prohibition)

State ex rel. Monster Tree Service, Inc. v. Hon. Jeffrey Cramer, Judge; and David Duvall,
No. 20-0043 (Original Prohibition)

State ex rel. 3M Company, Mine Safety Appliance Company, and American Optical Corporation v. Hon. Jay Hoke, Judge; and Patrick Morrissey, Attorney General,
No. 20-0014 (Original Prohibition)

State ex rel. Credit Control LLC v. Hon. Ronald Wilson, Judge; and Melissa Thompson,
No. 20-0045 (Original Prohibition)

State ex rel. Troy Group, Inc., et al. v. Hon. David J. Sims, Judge; and Nakita Willis,
No. 20-0007 (Original Prohibition)

RULE 20 ARGUMENT GRANTED

The following case will be scheduled for Rule 20 oral argument on the date stated:

Hardwick Smith Johnson, et al. v. Nancy Singleton Case and Deborah McGee,
No. 19-1018 (Jefferson 19-P-136)
May 19, 2020

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ORDERS

Orders of note were entered in the following cases:

Lawyer Disciplinary Board v. James F. Humphreys, No. 16-0959 (Lawyer Disciplinary)
All charges dismissed because the complaints are time barred. (5-0)

State of West Virginia v. Ronald Ward, No. 19-1046 (Post-Conviction Bail)
Petition refused (5-0)

State of West Virginia ex rel. Town of Gilbert v. James Smith, Sheriff of Mingo County,
No. 19-1093 (Original Mandamus)
Petition refused (3-2) (Justices Workman and Hutchison)

State of West Virginia ex rel. Allegheny Ventures, Inc. v. Hon. Edward Kornish, Judge; and
David Williams, Administrator of the Estates of Betty and Vincent Williams, No. 20-0032
(Original Prohibition)
Petition refused (3-2) (Chief Justice Armstead and Justice Jenkins)