



## DECISIONS, NOTICES AND ORDERS

**Tuesday, May 26, 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.

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### MEMORANDUM DECISIONS

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

State of West Virginia v. Shaniqua Whindleton, No. 19-0333 (Berkeley 17-F-233)  
Affirmed (4-0) (Justice Workman not participating)

Michael Sheliga v. Gassaway Public Library, et al., No. 19-0606 (Braxton 18-C-33)  
Affirmed (4-0) (Justice Workman not participating)

Gregory Scolapio v. Harrison County Commission, et al., No. 19-0543 (Monongalia 17-C-413)  
Affirmed (4-0) (Justice Workman not participating)

Justin Scott Peck v. Gregory Scolapio, No. 19-0165 (Monongalia 17-C-413)  
Affirmed (4-0) (Justice Workman not participating)

Kourt Security Partners, LLC v. United Bank, Inc., No. 19-0395 (Monongalia 15-C-733)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Wilson H., No. 19-0452 (Berkeley CC-02-2018-F-288)  
Affirmed (4-0) (Justice Workman not participating)

Kevin D. v. Beth G., No. 19-0775 (Kanawha 10-D-670)  
Affirmed (4-0) (Justice Workman not participating)

In Re: B.M., No. 19-0218 (Wood 18-JS-30W)  
Affirmed (4-0) (Justice Workman not participating)

Royce Saville v. City of Romney, No. 19-0560 (Hampshire 16-C-70)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Donald Smith, No. 18-1041 (Cabell 17-F-326, 18-F-186)  
Affirmed (4-0) (Justice Workman not participating)

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State of West Virginia v. Billy C., No. 19-0144 (Mercer 18-F-120-WS)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Mark Carter, Jr., No. 19-0501 (Jefferson CC-19-2019-F-27)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Randy H., No. 19-0015 (Wirt 14-F-24)  
Affirmed (4-0) (Justice Workman not participating)

Elizabeth Smith v. Nicholas Old Main Foundation, No. 19-0105 (Nicholas 17-C-141)  
Affirmed (4-0) (Justice Workman not participating)

Jerry Markham, Administrator v. WV Department of Health and Human Resources, et al.,  
No. 19-0163 (Greenbrier 16-C-33B)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Robert Lewis, No. 19-0121 (Kanawha 09-F-505, 09-M-67)  
Affirmed (4-0) (Justice Workman not participating)

David Adkins v. Donnie Ames, Superintendent, No. 19-0229 (Wayne CC-50-2017-86)  
Affirmed (4-0) (Justice Workman not participating)

State of West Virginia v. Joseph Shumaker, No. 19-0231 (Berkeley 18-F-205)  
Affirmed (4-0) (Justice Workman not participating)

**RULE 19 ARGUMENT GRANTED**

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

Brian Dement v. Karen Pszczolkowski, Superintendent, No. 19-0785 (Cabell 18-C-441)

State of West Virginia v. David Walker, Jr., No. 19-0777 (Preston 17-F-42)

James Kuhn v. Robin L. Ravenscroft Living Trust, No. 19-0805 (Mineral 18-C-45)

Wal-Mart Stores East, LP v. Johna Ankrom, No. 19-0666 (Wood 15-C-319)

In Re: Ibrahim Abdelnour, No. 19-0939 (Kanawha 19-P-331)

State ex rel. J.A. v. Honorable J.D. Beane, et al., No. 20-0265 (Original Prohibition)

**RULE 20 ARGUMENT GRANTED**

The following cases will be scheduled for Rule 20 oral argument  
on a later date:

State of West Virginia v. Dean Gamble, Sr., No. 18-0654 (Fayette 18-F-19, 20)

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State of West Virginia v. Timothy Michael Conner, II, No. 20-0234 (Certified Question – Monongalia 20-F-105)

Bison Interests, LLC v. Antero Resources Corporation, No. 19-0527 (Harrison 18-C-271)

State of West Virginia v. Joshua Plante, No. 19-0109 (Cabell 17-F-14, 18-F-275)

Michael Harlow v. Eastern Electric, LLC, No. 19-0643 (Nicholas 17-C-149)

**ORDERS**

Orders of note were entered in the following cases:

State of West Virginia v. Mark Workman, No. 20-0264 (Bail)  
Petition refused (4-0) (Justice Workman not participating)

State of West Virginia v. Malik Hawk, No. 20-0262 (Bail)  
Petition refused (4-0) (Justice Workman not participating)

State of West Virginia v. Danny Lockhart, No. 20-0261 (Bail)  
Petition refused (4-0) (Justice Workman not participating)

State of West Virginia v. Cornell G., No. 20-0172 (Bail)  
Petition refused (4-0) (Justice Workman not participating)

Triple 7 Commodities, Inc. v. High Country Mining, Inc., et al., No. 20-0155 (Mercer 17-C-77)  
Motion for injunction denied with leave to file in circuit court. (4-0) (Justice Workman not participating)