



JUDICIAL INVESTIGATION COMMISSION

City Center East - Suite 1200 A
4700 MacCorkle Ave., SE
Charleston, West Virginia 25304
(304) 558-0169 • FAX (304) 558-0831

April 5, 2021

Re: JIC Advisory Opinion 2021-06.

Dear Judge :

Your request for an advisory opinion to Counsel was recently reviewed by the Judicial Investigation Commission. You would like to know whether you are required to follow the disqualification rules as outlined in an order by Judicial Circuit Court Judge on disqualification of family court judges in your circuit or whether you should follow the opinion of *David C. v. Tammy S.*, Supreme Court No. 19-0786.

On February 23, 2021, you filed a Petition for Writ of Prohibition challenging Judge Order. By Order entered March 4, 2021, the Court stated that it was "of the opinion to and does refuse the petition on the basis that the petition is successive and contains allegations previously considered by the Court in a prior administrative matter.

Given that the Court has already addressed your question twice, the Commission declines to issue a formal opinion and deems the question moot. Please do not hesitate to contact the Commission should you have any further questions, comments or concerns.

Sincerely,

A handwritten signature in blue ink, which appears to read "Alan D. Moats", is written over a horizontal blue line.

Alan D. Moats, Chairperson
Judicial Investigation Commission

ADM/tat