



DECISIONS, NOTICES AND ORDERS

Monday, April 26, 2021

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:

State of West Virginia v. Raymond M., No. 19-0860 (Harrison 16-F-140-3)
Petition refused (4-0) (Justice Wooton not participating.)

Patricia A. Dilts v. Cold Spring Forest Section I Homeowners Association, Inc., No. 19-0678 (Morgan 17-P-16)
Petition refused (4-0) (Justice Wooton not participating.)

Paul Ashbaugh v. Harold Ward, Acting Director, Division of Water and Waste Management, West Virginia Department of Environmental Protection, No. 18-0954 (Kanawha 18-AA-200)
Petition refused (4-0) (Justice Wooton not participating.)

Lawyer Disciplinary Board v. Anthony J. Zappin, No. 18-0250 (Lawyer Disciplinary)
Petition refused (5-0)

Fitness, Fun, and Freedom, Inc., doing business as Sky Zone v. David Perdue and Tabbatha Perdue, No. 20-0344 (Kanawha 19-C-278)
Petition refused (5-0)

Trina L. Janura v. John J. Janura, Jr., No. 20-0159 (Hancock 12-C-229)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

State of West Virginia v. Dale F., No. 19-0738 (Marion 17-F-160)
Affirmed (5-0)

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Alexander Bosley v. J.D. Sallaz, Superintendent, No. 19-0793 (Harrison 16-C-314-3)
Affirmed (5-0)

State of West Virginia v. Richard S., No. 20-0320 (Kanawha 18-F-641)
Affirmed (5-0)

Elizabeth Musick v. Robert Pennington, MD, No. 19-0880 (Mercer 17-C-429)
Affirmed (3-1) (Justice Hutchison dissenting, in writing.) (Justice Wooton not participating.)

Angela Metcalf v. Romney Health Care Center Limited and Keli Schenck, No. 20-0354
(Hampshire 17-C-101)
Affirmed (5-0)

J.C. Baker & Sons, Inc. v. Daniel C. Cooper, Executor of the Estate of George C. Baker,
No. 20-0338 (Braxton 18-C-6)
Affirmed (5-0)

State of West Virginia v. Timmy Crockett, No. 19-1030 (Monongalia 18-F-312)
Affirmed (5-0)

State of West Virginia v. Stephen Richard Griffith, No. 19-1039 (Wood 18-F-27)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

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

West Virginia State Police v. Derek Walker, No. 20-0558 (Jefferson 19-AA-3)

Dan's Car World, LLC v. Caressa Delaney, No. 20-0489 (Monongalia 18-C-75)

State ex rel. West Virginia University – East, Inc., City Hospital, Inc., The Charles Town
General Hospital v. Hon. David M. Hammer, Judge, et. al., No. 21-0095 (Original Prohibition)

RULE 20 ARGUMENT GRANTED

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

Constellium Rolled Products Ravenswood, LLC v. Workforce West Virginia Board of
Review, et al., No. 20-0486 (Kanawha 13-AA-44, 45)

Keith C. and Karen C. v. Alan B., No. 20-0059 (Putnam 19-DV-247)

Orville Young, LLC and Rolaco, LLC v. Frank Bonacci and Brian Bonacci, No. 20-0030
(Marshall 18-C-16)

Homer Dye v. County Commission of Marion County, No. 20-0602 (Marion 16-AA-3)

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In re C.B., No. 20-0175 (Fayette 19-JD-18)

State of West Virginia v. Jamie Lynn Metheny, No. 20-0546 (Harrison 15-F-128)

ORDERS

Orders of note were entered in the following cases:

State ex rel. Scott P. v. Craig Roberts, Superintendent, No. 20-1023 (Original Habeas)
Petition for bail refused (5-0)