

No. 20726 -- Stephen C. Smith v. Joyce Ann Maurer Smith

Neely, J., dissenting in part:

I concur in the result; however, I dissent to the cynical, ironic and manipulative citation to Whiting v. Whiting, 183 W. Va. 451, 396 S.E.2d 413 (1990). Whiting v. Whiting has not only been de facto overruled by Charlton v. Charlton, 186 W. Va. 670, 413 S.E.2d 911 (1991); it has also been made a laughing stock.