

No. 30363 - The Board of Education of the County of Marshall v. David N. Gaudino
and William Stoehr

FILED

December 10, 2002

RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

RELEASED

December 11, 2002

RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

Starcher, Justice, dissenting:

This is a very narrow *per curiam* opinion, and hopefully it will apply to only a handful of cases where completely different “guidance counselor” seniority is in fact earned in radically different environments. Because I think the statute and rules are clear in mandating that all such seniority be considered alike, I dissent and would affirm the circuit court’s order.