

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 27, 2023, the following order was made and entered.

SCA EFiled: Apr 27 2023  
03:57PM EDT  
Transaction ID 69911364

*In re* D.D. and E.C.

No. 22-944

### **RULE TO SHOW CAUSE**

On this day came the Court, on its own motion, and proceeded to consider sanctions against Keith White, the children's guardian ad litem, for his failure to file a respondent's brief or summary response in the above-captioned matter and comply with orders of this Court.

Pursuant to the Court's December 30, 2022, order, the deadline to file a respondent's brief or summary response was March 8, 2023. When Mr. White failed to file a response on behalf of the children, the Court entered a Notice of Intent to Sanction on March 24, 2023, ordering Mr. White to file a respondent's brief or summary response on or before April 7, 2023. To date, Mr. White has not filed a respondent's brief or summary response in this matter.

Upon consideration, the Court is of the opinion that a rule in contempt should be awarded. It is ORDERED that a rule does issue directed against the children's guardian ad litem and the respondent herein, Keith White, Esq., returnable before this Court at its courtroom in the City of Charleston, County of Kanawha, on May 9, 2023, at 2:00 p.m. commanding and directing the said respondent to show cause, if any he can, why he should not be held in contempt of this Court for failure to file a response on behalf of the children in the above-captioned matter, unless sooner mooted by filing a brief or summary response that fully comply with the Rules of Appellate Procedure.

The Court directs the Clerk of Court to refer the actions of Keith White, Esq. in failing to file a response on behalf of the children, to the Office of Disciplinary Counsel.

It is further ordered that a copy of this order be sent to the Honorable Jason A. Wharton, Judge.

Service of an attested copy of this order shall constitute sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

