



# Supreme Court of Appeals of West Virginia

# News

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## Judge Wharton to Sit on Supreme Court for Two Cases

For immediate release Monday, February 5, 2024

CHARLESTON, W.Va. – Fourth Judicial Circuit (Wirt and Wood Counties) Judge Jason A. Wharton will sit by temporary assignment on the Supreme Court of Appeals for two cases on Tuesday, February 6.

When a Supreme Court Justice is unable to serve in a case, Article VIII Section 2 of the Constitution of West Virginia allows the chief justice to assign a circuit court judge to serve. The visiting judge then participates in all private conferences and votes on that case.

Judge Wharton will fill in for Justice Haley Bunn, who is recused from two cases that have been consolidated for argument: *Jay Longerbeam v. Shepherd University*, Case No. 22-609, and *Donald Buracker v. Shepherd University*, Case No. 22-610.

The two Rule 20 argument cases will be heard at 10 a.m. Cases set for Rule 20 arguments involve issues of first impression or of fundamental public importance; constitutional questions regarding the validity of a statute, municipal ordinance, or court ruling; and cases involving inconsistencies or conflicts among the decisions of lower tribunals.

Judge Wharton's bio and photo are available on the West Virginia Judiciary website: [Judge Jason Wharton | West Virginia Judiciary \(courtswv.gov\)](http://www.courtswv.gov).

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