



## DECISIONS, NOTICES AND ORDERS

**Tuesday, May 2, 2023**

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.

---

### MEMORANDUM DECISIONS

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

West Virginia Division of Corrections and Rehabilitation v. Billie Taylor, No. 22-0263)  
Affirmed (3-2) (Justice Armstead and Justice Bunn dissenting)

In re Adoption of I.R., No. 22-0418 (Kanawha 22-A-55)  
Affirmed (5-0)

In re Adoption of M.C., No. 22-0131 (Upshur 21-A-18)  
Affirmed (5-0)

Paul Spinks v. Donnie Ames, Superintendent, No. 22-0222 (Nicholas CC-34-2018-C-3)  
Vacated and remanded (4-1) (Justice Bunn dissenting)

State v. Elizabeth Justice, No. 21-1011 (Greenbrier CC-13-2019-F-177)  
Affirmed (5-0)

State v. Douglas Harper, No. 22-0238 (Jackson CC-18-2018-F-101)  
Affirmed (5-0)

State v. Shane Peck, No. 21-0619 (Kanawha 11-F-319)  
Vacated and remanded (5-0)

Brent Boggs v. Greylock Marketing, LLC, No. 21-0935 (Kanawha 20-C-873)  
Affirmed (5-0)

Thomas Scherich, et al. v. Wheeling Creek Watershed Protection and Flood Prevention Commission, No. 22-0309 (Marshall 90-C-229)  
Reversed and remanded (5-0)

Richard Ojeda v. Rupert Phillips, No. 22-0057 (Kanawha 21-C-640)  
Affirmed (3-1) (Justice Hutchison dissenting.) (Justice Armstead disqualified.)

ORDER LIST

May 2, 2023

Page 2

In re G.P. III, J.P., and V.M., No. 22-0507 (Kanawha 16-JA-510, 16-JA-511, 16-JA-513)  
Affirmed (3-2) (Justice Bunn dissenting in writing, joined by Justice Hutchison)

**RULE 19 ARGUMENT GRANTED**

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

Jennifer W. v. Michael W., No. 21-0897 (Wayne 21-D-AP-1)

State v. Candice Salmons, No. 21-0424 (Wyoming 16-F-71)

State v. Shane Hagerman, No. 22-0219 (McDowell CC-27-2019-F-11)

**RULE 20 ARGUMENT GRANTED**

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

State v. Rusty White, No. 22-0197 (Jefferson CC-19-2018-F-31)

State v. David Hall, Jr., No. 21-0904 (Mercer 20-F-157)

State v. Leslie G., No. 22-0210 (Putnam CC-40-2019-F-140)