



DECISIONS, NOTICES AND ORDERS

Friday, October 29, 2021

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.

REHEARINGS

The Court took the following action on a petition for rehearing:

Ronald Davis v. Donnie Ames, Superintendent, No. 20-0897 (Jackson 19-C-77)
Petition refused (5-0)

MEMORANDUM DECISIONS

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

Jason Miller and Myriah Miller v. Fountainhead Homeowners Association, Inc., No. 20-0557
(Mineral 18-C-18)
Affirmed (5-0)

Kevin Hamon v. John Morris, M.D., No. 20-0841 (Monongalia 17-C-130)
Affirmed (5-0)

State of West Virginia v. Sherri Fritts, No. 20-0937 (Jefferson CC-19-2020-F-23)
Affirmed (5-0)

State of West Virginia v. William Vaughn, No. 20-0333 (Mercer 18-F-282)
Affirmed (5-0)

State of West Virginia v. Antonio Smith, No. 19-0565 (Jackson 18-F-28)
Affirmed (5-0)

State of West Virginia v. Bernard Echols, No. 20-0859 (Fayette 20-F-28)
Affirmed (5-0)

State of West Virginia v. Jonathan Cain, No. 20-0459 (Morgan 19-F-37)
Affirmed (5-0)

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State of West Virginia v. Joshua Cutright, No. 20-0332 (Braxton 19-F-80)
Affirmed (4-1) (Justice Wooton dissenting)

RULE 19 ARGUMENT GRANTED

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

Antero Resources Corporation v. Matthew R. Irby, West Virginia State Tax Commissioner, et al.,
Nos. 20-0530, 20-0531, and 20-0579

Rita Tanner and Dennis Tanner v. Bryan D. Raybuck, MD, No. 21-0038 (Monongalia 20-C-136)

RULE 20 ARGUMENT GRANTED

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

Everett J. Frazier, Commissioner v. Joseph Slye, No. 20-0746 (Kanawha 19-AA-123)

State of West Virginia v. Shaun Duke, No. 21-0162 (Nicholas 20-F-51)

SWN Production Company, et al. v. Charles Kellam, et al., No. 21-0729
(Certified Question)

ORDERS

Orders of note were entered in the following cases:

State of West Virginia ex rel. Ernest Sammons v. Mingo County Commission, et al.,
No. 21-0642 (Original Prohibition)
Petition refused (4-0) (Justice Hutchison not participating.)

State ex rel. Sarah Sturm v. Hon. Gregory L. Howard, Judge; and Deanna Thompson,
No. 21-0663 (Original Prohibition)
Petition refused (5-0)

State of West Virginia ex rel. Ridge Point Home Owners Association, Inc., et al. v. Hon. Cindy Scott, Judge, et al., No. 21-0718 (Original Prohibition)
Petition refused (5-0)

State of West Virginia v. David T., No. 20-0687 (Bail)
Petition refused (4-0)(Justice Hutchison disqualified.)