



## DECISIONS, NOTICES, AND ORDERS

Monday, September 9, 2024

The Intermediate Court of Appeals of West Virginia has taken action in the following cases in the month of August 2024. This list contains only the actions of note taken by the Intermediate Court, not the content or actual date of orders or decisions.

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### MEMORANDUM DECISIONS

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

Margaret M. v. Laramie M., 23-ICA-576 (Fam. Ct. Greenbrier Cnty. No. FC-13-2016-D-157)  
Affirmed (3-0)

Jason C. v. Kaitlin H., 23-ICA-577 (Fam. Ct. Ritchie Cnty. No. FC-43-2016-D-27)  
Remanded (3-0)

### RULE 20 ARGUMENT GRANTED

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

Nationwide Insurance Company of America v. Brittney Duty, Gregory Duty, individually and as Administrator of the Estate of Beverly Duty, and Paul Conley and Lula Conley, 23-ICA-491 (Cir. Ct. Logan Cnty. No. CC-23-2021-C-30) (3-0)

### RULE 19 ARGUMENT GRANTED

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

The Estate of Michelle Williams-Billings v. Diamond Field, LLC d/b/a Maple Acres Estates, 24-ICA-3 (Cir. Ct. Mercer Cnty. No. CC-28-2023-C-100) (3-0)

Bethann Cornett Spears v. Drema Ann Spears, 23-ICA-478 (Cir. Ct. Raleigh Cnty. No. CC-41-2022-C-161) (3-0)

### ORDERS

Orders of note were entered in the following cases:

Mingo Logan Coal Company v. Bradley Ray, 24-ICA-246 (Workers' Compensation Board of Review)

Motion for Stay Granted (3-0)

B E T, Ltd. v. James May, 24-ICA-296 (Workers' Compensation Board of Review)

Motion for Stay Refused (2-0) (Chief Judge Scarr, not participating)

West Virginia Parkways Economic Development & Tourism v. Daniel Smith, 24-ICA-292 (Workers' Compensation Board of Review)

Motion for Stay Refused (2-0) (Chief Judge Scarr, not participating)

Mark Samaan, M.D. v. Brenda Moran, 24-ICA-69 (Cir. Ct. Marion Cnty. No. CC-24-2020-C-102)

Motion to Dismiss Refused (3-0)

Heidi Price, Administratrix of the Estate of Ellis Wayne Price v. Raleigh General Hospital, LLC, and Philip Bailey, 24-ICA-68 (Cir. Ct. Raleigh Cnty. No. CC-41-2023-C-331)

Motion for Leave to File Supplemental Appendix Refused (3-0)