



DECISIONS, NOTICES AND ORDERS

Tuesday, January 14, 2025

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:

Brandon S. v. Jonathan Frame, Superintendent, Mt. Olive Correctional Complex – No. 23-375
(Hardy CC-16-2019-C-30)
Affirmed (5-0)

State of West Virginia v. Ronald Stecker Jr. – No. 23-313 (Berkeley CC-02-2022-F-43)
Affirmed (5-0)

State of West Virginia v. Richard D. – No. 23-195 (Jefferson CC-19-2021-F-47)
Affirmed (5-0)

Donald Dunn v. Jonathan Frame, Superintendent, Mt. Olive Correctional Complex – No. 22-910
(Raleigh CC-41-2020-C-47)
Affirmed (5-0)

State of West Virginia v. Robert M. – No. 23-123 (Upshur CC-49-2008-F-12)
Affirmed (5-0)

Thomas B. v. Jonathan Frame, Superintendent, Mt. Olive Correctional Complex – No. 23-308
(Marion CC-24-2022-C-94)
Affirmed (5-0)

William B. Murray v. Jonathan Frame, Superintendent, Mt. Olive Correctional Complex –
No. 23-206 (Harrison CC-17-2019-C-55)
Affirmed (5-0)

State of West Virginia v. Michael Frederick Ryzner – No. 23-270 (Berkeley CC-02-2022-F-261)
Affirmed (5-0)

State of West Virginia v. Eric D. Morris – No. 23-114 (Fayette CC-10-20 21-F-204)
Affirmed (5-0)

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RULE 19 ARGUMENT GRANTED

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

Jay Folsie v. G. Russell Rollyson Jr. and John McCuskey Jr. – No. 23-325
(Intermediate Court of Appeals 22-ICA-87)

State of West Virginia v. Andrew Miller – No. 23-318 (Raleigh CC-41-2022-F-361)

State of West Virginia v. Brian Allen Merchant Jones – No. 23-13 (Marion CC-24-2021-F-138)

William Ballenger v. Shelby Searls, Superintendent of Huttonsville Correctional Center –
No. 23-107 (Cabell 19-C-92)

Henry Wayne Johnston v. Jonathan Frame, Superintendent, Mt. Olive Correctional Complex –
No. 23-129 (Kanawha 22-P-219)

RULE 20 ARGUMENT GRANTED

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

State of West Virginia v. Cody Brautigam – No. 22-938 (Ohio CC-35-2013-F-31)

State of West Virginia v. Monica Hartwell – No. 23-7 (Mercer CC-28-2021-F-242)

State of West Virginia v. Lawrence Foye – No. 23-184 (Kanawha 18-F-306)

ORDERS

Orders of note were entered in the following cases:

State of West Virginia ex rel. Central Mutual Insurance Company v. The Honorable Gregory L. Howard, Judge of the Circuit Court of Cabell County, West Virginia, and G&G Builders, Inc. -
No. 24-399
(Original Prohibition)
Petition refused (4-0) (Justice Bunn disqualified.)

State of West Virginia ex rel. Harold Douglas Gunnoe v. Stephanie Smith, Putnam County Circuit Court Clerk and Kristine Raynes, Putnam County Prosecuting Attorney – No. 24-490
(Original Mandamus)
Petition refused (4-0) (Justice Armstead not participating.)

State of West Virginia ex rel. Michael Jones v. William Marshall, Commissioner, West Virginia Department of Corrections and Rehabilitation; and Jonathan E. Frame, Superintendent, Mount Olive Correctional Complex – No. 23-742
(Original Mandamus)
Petition refused (5-0)