



DECISIONS, NOTICES, AND ORDERS

Monday, June 2, 2025

The Intermediate Court of Appeals of West Virginia has taken action in the following cases in the month of May 2025. This list contains only the actions of note taken by the Intermediate Court, not the content or actual date of orders or decisions.

SIGNED OPINIONS

In accordance with Rule 22, signed opinions were entered in the following cases:

Carbon Energy Corporation, Carbon West Virginia Company, LLC, n/k/a DP Bluegrass, LLC, and Diversified Gas and Oil Corporation, 24-ICA-154 (Cir. Ct. Kanawha Cnty. No. 20-C-613)
Affirmed, in part, and Reversed, in part (3-0)

MEMORANDUM DECISIONS

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

Fe'R Cargo Express, LLC v. Aida Betts, as Administratrix of the Estate of Adanela L. Santana, Ebony White, and Ebony White, as Mother and Next Friend of J.B., 24-ICA-242, 24-ICA-243, and 24-ICA-244 (Cir. Ct. Ohio Cnty. Nos. CC-35-2022-C-10, CC-35-2022-C-44, and CC-35-2022-C-45)
Affirmed (3-0)

Tracy LeMaster v. Coleen LeMaster, 24-ICA-229 (Fam. Ct. Harrison Cnty. No. FC-17-2008-D-295)
Affirmed, in part, Vacated, in part, and Remanded with directions (3-0)

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William Jordan v. Pansy Jordan, 24-ICA-291 (Fam. Ct. Upshur Cnty. No. FC-49-2010-D-134)
Vacated and Remanded (3-0)

Joseph Craig Dorsey v. Blackhawk Mining, 24-ICA-254 (Workers' Compensation Board of Review)
and John Adkins v. Marfork Coal Company, LLC, 24-ICA-256 (Workers' Compensation Board
of Review)
Reversed, in part, and Remanded (3-0)

George Nicholas Parsons v. Wiley Tyler Raines and Calhoun County Commission, 24-ICA-193 (Cir. Ct.
Calhoun Cnty. No. CC-07-2023-C-7)
Affirmed (3-0)

Robert Harris v. Warner Law Office and Clarksburg Publishing Co. d/b/a Weston Democrat and The
Record Delta, 24-ICA-264 (Cir. Ct. Lewis Cnty. No. CC-21-2023-C-71)
Affirmed (3-0)

RULE 19 ARGUMENT GRANTED

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

Clay Music Corp. v. Mountaineer Gas Company, 24-ICA-457 (Cir. Ct. Kanawha Cnty. No. CC-20-
2023-C-657, consolidated with Nos. CC-20-2022-C-385 and CC-20-2022-C-694) (3-0)

Scott Lemley, in his official capacity as Assessor of Wetzel County, West Virginia v. MarkWest Liberty
Midstream & Resources, LLC, MarkWest Liberty Ethane Pipeline, LLC, and MarkWest NGL Pipeline,
LLC, 24-ICA-438 (West Virginia Office of Tax Appeals No. 23-1355) (3-0)

James L. Coster v. Dennis Wingrove, Lisa Wingrove, Ronald K. Lilley, Sr., and Helga M. Lilley, 24-ICA-
467 (Cir. Ct. Marshall Cnty. No. CC-25-2019-C-40) (3-0)

ORDERS

Orders of note were entered in the following cases:

Steak Escape of Kanawha City II, LLC d/b/a Steak Escape and Josh Macleery v. Jason Hudson, 24-
ICA-173 (Cir. Ct. Kanawha Cnty. No. CC-20-2022-C-706)
Petition for Rehearing Refused (3-0)

Mary Ann Groves v. Ricky Allen Ours, 25-ICA-93 (Fam. Ct. Grant Cnty. No. FC-12-2021-D-16)
Motion to Dismiss Refused (3-0); "Petition for Rehearing" Refused (3-0)

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Michael J. Walsh v. Beaver Ridge Resort Condo Unit Owners' Association, 25-ICA-77 (Cir. Ct. Tucker Cnty. No. CC-47-2021-C-9)
Motion to Dismiss Refused (3-0)

Rebecca Bugaj v. West Liberty Board of Governors and Jason Koegler, 25-ICA-177 (Cir. Ct. Ohio Cnty. No. CC-35-2022-C-215)
Petition for Rehearing Refused (3-0)

Deborah L. Beheler Baldwin v. Scott Adkins, in his official capacity as Acting Commissioner of WorkForce West Virginia, 25-ICA-162 (WorkForce West Virginia Board of Review No. R-2023-1780)
Motion to Dismiss Granted (3-0)

Brandon C. v. Rachel L., 25-ICA-116 (Fam. Ct. McDowell Cnty. No. FC-27-2015-D-13)
Motion to Dismiss Refused (3-0)

Emmitt K. Winn v. Davis & Elkins College, 25-ICA-83 (Workers' Compensation Board of Review)
Motion to Dismiss Granted (3-0)

Gabe's v. Keith Hayes, 24-ICA-380 (Workers' Compensation Board of Review)
Petition for Attorney Fees Granted (3-0)

Carolina Cable, Inc., d/b/a Canaan Cable, and Cable of the Carolinas, Inc. v. Monongabala Power Company d/b/a Mon Power, 25-ICA-64 (Cir. Ct. Marion Cnty. No. CC-24-2022-C-81)
Motion to Dismiss Granted (3-0)

John C. and Bonnie C., a married couple, individually and as conservators and guardians of their adopted son, Z.S.C., a protected person, and Jackie Lee Spencer and Phyllis Ann Spencer, a married couple v. Mark E. Brennan, in his capacity as Bishop of the Diocese of Wheeling-Charleston, and the Catholic Diocese of Wheeling-Charleston, 25-ICA-183 (Cir. Ct. Monongalia Cnty. No. CC-31-2020-C-159)
Motion to Dismiss Refused (3-0)

Mariah D. v. Michael N., 25-ICA-160 (Fam. Ct. Jefferson Cnty. No. FC-19-2017-D-290)
Motion for Stay Refused (3-0)

Karen Bishop v. Robert Valle, 25-ICA-55 (Cir. Ct. Boone Cnty. No. CC-03-2024-C-AP-2)
Motion to Dismiss Granted (3-0)

Hospice of Southern West Virginia, Inc. v. Melissa L. Whitney, 25-ICA-184 (Workers' Compensation Board of Review)
Motion for Stay Refused (3-0)