

## STATE OF WEST VIRGINIA

On January 21, 2026, the Supreme Court of Appeals of West Virginia made and entered the following order:

SCA EFiled: Jan 21 2026  
03:59PM EST  
Transaction ID 78257847

*In re* D.C.

No. 25-718 (Kanawha County No. CC-20-2024-JA-146)

Alan J. Nichols, Esq.

Respondent to the Rule to Show Cause

### RULE TO SHOW CAUSE IN CONTEMPT

The Court on its own motion, proceeded to consider sanctions for the failure of petitioner's counsel, Alan J. Nichols, Esq., to perfect the appeal in this matter.

On October 27, 2025, the petitioner filed an appeal from a final order of the Circuit Court of Kanawha County. By Scheduling Order entered on October 30, 2025, the deadline to perfect the appeal was December 5, 2025. When the appeal was not perfected, a Notice of Intent to Sanction was entered on December 22, 2025, directing counsel to perfect the appeal on or before January 5, 2026, or be subject to sanctions. To date, the appeal has not been perfected.

Upon consideration, the Court is of the opinion that a rule to show cause in contempt should be awarded. It is ORDERED that a rule does issue directed against Alan J. Nichols, Esq., counsel for the petitioner and respondent to the rule to show cause, returnable before this Court at its courtroom in the City of Charleston, County of Kanawha, on **Tuesday , March 3, 2026, at 1:50 p.m.** commanding and directing him to show cause, if any he can, why he should not be held in contempt of this Court for failure to perfect the appeal, unless sooner mooted, by perfecting the

appeal with the filing of a petitioner's brief and appendix record that fully comply with the Rules of Appellate Procedure.

The Court directs the Clerk of Court to refer the actions of Alan J. Nichols in failing to perfect the appeal, or otherwise respond to orders of this Court, to the Office of Lawyer Disciplinary Counsel.

It is further ORDERED that a copy of this order be sent to the Honorable Maryclaire Akers, Judge of the Eighth Judicial Circuit.

It is finally ORDERED that Alan J. Nichols shall provide a copy of this order to his client within ten days of the date of this order.

Service of an attested copy of this order constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ C. Casey Forbes  
Clerk of Court

