



DECISIONS, NOTICES, AND ORDERS

Monday, September 14, 2026

The Intermediate Court of Appeals of West Virginia has taken action in the following cases in the month of August 2026. This list contains only the actions of note taken by the Intermediate 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:

Danny Lucas v. Christie Lucas, 25-ICA-296 (Fam. Ct. Kanawha Cnty. No. FC-20-2021-D-1067)
Affirmed (2-0) (Chief Judge Greear, not participating)

Anna Reed v. Steven Wolfe, 25-ICA-323 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-C-AP-78)
Affirmed (3-0)

Joshua C. Keck v. John B. McCuskey, in his official capacity as Attorney General of the State of West Virginia, 25-ICA-342 (Cir. Ct. Cabell Cnty. No. CC-06-2024-C-361)
Affirmed (3-0)

Scott A. Adkins, in his official capacity as Acting Commissioner of WorkForce West Virginia v. Sarah K. Holt and Project Healing Waters Fly Fishing, Inc., 25-ICA-343 (WorkForce W. Va. Bd. of Rev. No. R-2025-0832)
Affirmed (3-0)

Canada A. v. Michael K., 25-ICA-348 (Fam. Ct. Kanawha Cnty. No. FC-20-2020-D-297)
Affirmed (2-0) (Chief Judge Greear, not participating)

ORDER LIST
September 14, 2026
Page 2

Scott S. Segal v. Carey Douglas Kessler & Ruby, PLLC, and Steven R. Ruby, 25-ICA-350 (Cir. Ct. Kanawha Cnty. No. CC-20-2024-C-1088)
Reversed and Remanded (3-0)

Christopher S. v. Jordan L. and Joshua W., 25-ICA-351 (Fam. Ct. Kanawha Cnty. No. FC-20-2025-D-649)
Affirmed (2-0) (Chief Judge Greear, not participating)

Elizabeth M. v. Michael M., 25-ICA-355 (Fam. Ct. Wayne Cnty. No. FC-50-2022-D-109)
Affirmed (3-0)

Tamara C. Thompson v. Clayton H. Thompson, 25-ICA-364 (Cir. Ct. Jefferson Cnty. No. CC-19-2023-C-AP-5)
Affirmed (3-0)

Mengyang Li v. Shepherd University, 25-ICA-368 (W. Va. Pub. Emp. Grievance Bd. No. 2018-1475-SU)
Affirmed (3-0)

Dean W. Randolph v. Heather D. White, Larry J. Ford II, Debbie L. Vac, and State Farm Fire and Casualty Company, 25-ICA-376 (Cir. Ct. Harrison Cnty. No. CC-17-2023-C-245)
Affirmed (3-0)

Lydia C. v. Alvie S., 25-ICA-379 (Fam. Ct. Cabell Cnty. No. FC-06-2023-D-365)
Affirmed (3-0)

Zach Tolley and Jama Tolley v. Boone East Development Company, Auxier Welding, Inc., Lexington Coal Company, LLC, Jacks Branch Coal Company, and Spartan Mining Company, 25-ICA-382 (Cir. Ct. Fayette Cnty. No. CC-10-2023-C-46)
Affirmed (3-0)

Jennifer McGinley v. Northern West Virginia Center for Independent Living d/b/a LiveAbility, and Scott A. Adkins, in his official capacity as Acting Commissioner of WorkForce West Virginia, 25-ICA-385 (WorkForce W. Va. Bd. of Rev. No. R-2025-1251)
Affirmed (3-0)

Caitlin H. v. Patrick M., 25-ICA-407 (Fam. Ct. Pocahontas Cnty. No. FC-38-2022-D-16)
Affirmed (3-0)

Cardinal Health 110, LLC and Cardinal Health 411, Inc. v. The City of Charleston, 25-ICA-412 (Cir. Ct. Kanawha Cnty. No. CC-20-2023-AA-2)
Affirmed (2-0) (Judge Lorensen, not participating)

ORDER LIST
September 14, 2026
Page 3

Meadow Ridge Development, LLC v. Eureka Midstream, LLC, 25-ICA-415 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-P-356)
Reversed and Remanded (3-0)

Steven Thomas v. Judith Thomas and John L. Burkard, as Executor of the Estate of John Lawrence Burkard, 25-ICA-425 (Fam. Ct. Kanawha Cnty. No. FC-20-2002-D-2143)
Affirmed (3-0)

United Coal Company, LLC v. Joshua Plumley, 25-ICA-440 (Workers' Compensation Board of Review)
Affirmed (3-0)

Jay P. v. Casey S., 25-ICA-441 (Fam. Ct. Kanawha Cnty. No. FC-20-2022-D-679)
Affirmed (3-0)

Bipin S. v. Laura I., 25-ICA-456 (Fam. Ct. Berkeley Cnty. No. FC-02-2024-D-343)
Affirmed (3-0)

Brian W. v. Shasta W., 25-ICA-459 (Fam. Ct. Monongalia Cnty. No. FC-31-2021-D-86)
Affirmed (3-0)

Richard E. Heath v. Alliance Coal, LLC, 25-ICA-466 (Workers' Compensation Board of Review)
Affirmed (3-0)

Stephen U. v. Matthew Wickert, in his official capacity as State Registrar for Vital Statistics, 25-ICA-474 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-C-757)
Affirmed in part, Vacated in part, and Remanded (3-0)

David K. v. Tawnya C., 25-ICA-501 (Fam. Ct. Nicholas Cnty. No. FC-34-2024-D-1)
Affirmed (3-0)

Tonnley Engineering & Manufacturing Co., Inc. v. Richard W. Austin, 26-ICA-167 (Workers' Compensation Board of Review)
Affirmed (3-0)

Tiffany S. v. Robert S., 26-ICA-20 (Fam. Ct. Wyoming Cnty. No. FC-55-2015-D-127)
Affirmed (3-0)

Cabell County Commission v. D.E., 26-ICA-34 (Workers' Compensation Board of Review)
Vacated and Remanded (3-0)

ACNR Resources, Inc. v. Jared McGinnis, 26-ICA-41 (Workers' Compensation Board of Review)
Affirmed (3-0)

Consol Mining Company, LLC v. Austin Snuffer, 26-ICA-47 (Workers' Compensation Board of Review)
Affirmed (3-0)

Alliance Coal, LLC v. Joseph J. Bettinazzi, 26-ICA-49 (Workers' Compensation Board of Review)
Affirmed (3-0)

Goodwill Industries of KYOWVA Area, Inc. v. Larry Stowell, 26-ICA-55 (Workers' Compensation Board of Review)
Affirmed (3-0)

Rachel B. v Benjamin B., 25-ICA-322 (Fam. Ct. Cabell Cnty. No. FC-06-2018-D-415)
Affirmed (3-0)

Christopher Carr v. Deborah Post, 25-ICA-442 (Fam. Ct. Monongalia Cnty. No. FC-31-2024-D-350)
Affirmed (3-0)

James M. Pierson v. Franklin Alva Pierson, Jr., Individually and as Executor of the Estate of Franklin Alva Pierson, Barbara Pierson, and Pierson Refrigeration Services, Inc., 25-ICA-450 (Cir. Ct. Kanawha Cnty. No. CC-20-2023-C-333)
Affirmed (3-0)

David Lee Cobun, Cobun Family Trust, Linda Cobun Flood, Donella Cobun, and Randy Cobun v. Richard Phillips, 25-ICA-451 (Cir. Ct. Preston Cnty. No. CC-39-2021-C-76)
Affirmed (3-0)

Kristina Hamilton v. Clifton Travis Joiner, 25-ICA-452 (Cir. Ct. Kanawha Cnty. No. CC-20-2024-C-AP-156)
Affirmed (3-0)

Magus Abnend v. Ocie Helton, 25-ICA-468 (Cir. Ct. Raleigh Cnty. No. CC-41-2025-C-348)
Affirmed (3-0)

Lucinda Lewis and Lisa Lewis-Manrique v. Laurie Lewis, 25-ICA-479 (Cir. Ct. Kanawha Cnty. No. CC-20-2022-C-855)
Affirmed, in part, Reversed, in part, and Remanded (2-0) (Judge Lorensen, not participating)

R.M. Roach & Sons, Inc. v. Harry Johnson and Bonnie Bundy, 25-ICA-489 (Cir. Ct. Berkeley Cnty. No. CC-02-2022-C-297)
Affirmed (3-0)

ORDER LIST
September 14, 2026
Page 5

State Auto Insurance Company v. Erin K. Hunter, in her official capacity as Insurance Commissioner of the State of West Virginia, 25-ICA-491 (W. Va. Off. of the Insurance Comm'r No. 25-IC-182490)
Affirmed (3-0)

Ronnie O'Neal v. Eastern Materials, LLC, 25-ICA-499 (Workers' Compensation Board of Review)
Affirmed, in part, and Vacated and Remanded, in part (3-0)

Franklin T. Carothers v. State of West Virginia, Glenville State University, and West Virginia Higher Education Policy Commission, 26-ICA-13 (Cir. Ct. Gilmer Cnty. No. CC-11-2025-C-16)
Affirmed (3-0)

Joshua Dower v. Melissa Dower, 26-ICA-48 (Fam. Ct. Monongalia Cnty. No. FC-31-2018-D-176)
Affirmed (2-0) (Judge Lorensen, not participating)

Marc D. v. Jodi D., 26-ICA-54 (Fam. Ct. Kanawha Cnty. No. FC-20-2022-D-568)
Affirmed (2-0) (Chief Judge Greear, not participating)

West Virginia United Health System, Inc. v. Tina Best, 26-ICA-63 (Workers' Compensation Board of Review)
Affirmed (3-0)

South Huntington Animal Hospital, PLLC v. Shayne Sullivan, and v. Alisha Newman, and v. Laura Fulks, 26-ICA-69, 26-ICA-70, and 26-ICA-105 (Workers' Compensation Board of Review)
Affirmed (3-0)

Michelle Turner v. James Turner, 26-ICA-71 (Fam. Ct. Cabell Cnty. No. FC-06-2022-D-177)
Affirmed (3-0)

City of Wheeling v. David Gilbert, 26-ICA-73 (Workers' Compensation Board of Review)
Affirmed (3-0)

Cassandra C. v. Henry B., 26-ICA-75 (Fam. Ct. Greenbrier Cnty. No. FC-13-2025-D-203)
Affirmed (3-0)

Dallas D. v. Desirae F., 26-ICA-84 (Fam. Ct. Wood Cnty. No. FC-54-2019-D-582)
Affirmed (3-0)

Nicholas Collins v. Shana Collins, 26-ICA-85 (Fam. Ct. Kanawha Cnty. No. FC-20-2024-D-826)
Affirmed (2-0) (Chief Judge Greear, not participating)

Aaron W. Dalton v. City of Westover, Richard Panico, and Zachary Fecske, 25-ICA-422 (Cir. Ct. Monongalia Cnty. No. CC-31-2023-C-103)
Affirmed (3-0)

RULE 20 ARGUMENT GRANTED

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

Donna J. Armstead and Anthony Armstead v. Mannington Home Center, Inc., 26-ICA-14 (Cir. Ct. Monongalia Cnty. No. CC-31-2003-C-89) (3-0)

Gregory H. Schillace d/b/a Schillace Law Office v. Horizon Ventures of West Virginia, Inc., 25-ICA-432 (Cir. Ct. Harrison Cnty. No. CC-17-2025-C-40) (3-0)

ORDERS

Orders of note were entered in the following cases:

Majed A. Maliki v. The Estate of Dorr C. Casto c/o Bradley C. Casto, Administrator, 26-ICA-295 (Cir. Ct. Wood Cnty. No. CC-54-2024-C-300)
Motion for Stay Refused (3-0)

Ronald E. v. Kelli E., 25-ICA-416 (Fam. Ct. Jefferson Cnty. No. FC-19-2023-D-13)
Petition for Rehearing Refused (3-0)

AIG Assurance Company v. Erin K. Hunter, in her official capacity as Insurance Commissioner of the State of West Virginia, 26-ICA-181 (W. Va. Off. of the Insurance Comm'r No. 25-IC-186109)
Motion to Dismiss Granted (3-0)

Dustin B. v. Julia B., 26-ICA-261 (Fam. Ct. Cabell Cnty. No. FC-06-2021-D-329)
Motion for Stay Refused (3-0)

Reagent Chemical v. Charles Wise, 26-ICA-319 (Workers' Compensation Board of Review)
Motion for Stay Refused (3-0)

P & J Real Estate, LLC v. Dorothy Lee Lilly and Unknown Heirs, Devisees, and Creditors of Dorothy Lee Lilly, 26-ICA-116 (Cir. Ct. Raleigh Cnty. No. CC-41-2025-C-124)
Motion to Dismiss Granted (3-0)