



DECISIONS, NOTICES, AND ORDERS

Monday, October 5, 2026

The Intermediate Court of Appeals of West Virginia has taken action in the following cases in the month of September 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:

Brooks E. Maxwell and James M. Maxwell v. Ryan Hulse, Walter E. Hulse, Janene M. Gardiner, and Angela L. Dalpe, 25-ICA-424 (Cir. Ct. Doddridge Cnty. No. CC-09-2025-C-7)
Affirmed (3-0)

Darren Jackson v. Health Care Alliance, Inc. d/b/a Team Health Atlantic, Ronald Best, D.O., Eric Glass, D.O., and Jeffrey DeBord, D.O., 25-ICA-482 (Cir. Ct. Berkeley Cnty. No. CC-02-2024-C-191)
Affirmed (2-0) (Judge Lorensen, not participating)

Monongalia County Arts Center Association, Inc. v. Gordon W. Lawson and Sheila M. Lawson and Ann Stefanick; and Gordon W. Lawson and Sheila M. Lawson v. Ann Stefanick and Monongalia County Arts Center Association, Inc., 25-ICA-492 and 25-ICA-494 (Cir. Ct. Monongalia Cnty. No. CC-31-2023-C-211)
Affirmed (3-0)

Sandra Cardona and Jaime Cardona v. Thomas Gamino, 25-ICA-495 (Cir. Ct. Berkeley Cnty. No. CC-02-2024-C-69)
Affirmed (3-0)

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Chris H. v. Lisa H., 26-ICA-103 (Fam. Ct. Wyoming Cnty. No. FC-55-2025-D-107)
Affirmed (3-0)

William Wasielak v. Julie Wasielak, 26-ICA-104 (Fam. Ct. Jefferson Cnty. No. FC-19-2019-D-351)
Reversed and Remanded (3-0)

Shawn D. v. Cynthia H., 26-ICA-113 (Fam. Ct. Kanawha Cnty. No. FC-20-2021-D-475)
Affirmed, in part, and Vacated and Remanded, in part (2-0) (Chief Judge Greear, not participating)

Marshall County Coal Resources v. Colby Yarbrough, 26-ICA-135 (Workers' Compensation Board of Review)
Affirmed (3-0)

Tim S. Haren v. American Prosthetic & Orthotic Care, LLC, by Shanshad Ahmed, 26-ICA-138 (Cir. Ct. Cabell Cnty. No. CC-06-2022-C-356)
Affirmed (3-0)

Kelsi H. v. Robert H., 26-ICA-155 (Fam. Ct. Ritchie Cnty. No. FC-43-2024-D-47)
Vacated and Remanded (3-0)

ACNR Resources, Inc. v. Paul Scott, 26-ICA-156 (Workers' Compensation Board of Review)
Affirmed (3-0)

West Virginia University Health System, Inc. v. Elizabeth Blackwell, 26-ICA-157 (Workers' Compensation Board of Review)
Affirmed (3-0)

Christian Caldwell v. Brenda Caldwell, 26-ICA-166 (Fam. Ct. Marshall Cnty. No. FC-25-2005-D-24)
Affirmed (3-0)

Richard Dibella and Shraddha Joshi v. Melanie Mastermonico, 26-ICA-17 (Cir. Ct. Berkeley Cnty. No. CC-02-2025-C-AP-25)
Affirmed (2-0) (Judge Lorensen, not participating)

Cheryl Battista v. Andrew Battista, 26-ICA-182 (Fam. Ct. Wayne Cnty. No. FC-50-2021-D-90)
Affirmed (3-0)

John Green v. West Virginia Department of Human Services, Bureau for Family Assistance, 26-ICA-58 (W. Va. Off. of Inspector General Bd. of Rev. No. 26-BOR-1008)
Affirmed (3-0)

James Wood v. Jane Lee Enterprises, Inc., 26-ICA-74 (Workers' Compensation Board of Review)
Affirmed (3-0)

David King II v. Justice Family Group, LLC, 26-ICA-76 (Workers' Compensation Board of Review)
Vacated and Remanded (3-0)

Donald R. Molloban v. Chambers Auto Repair & Towing, 26-ICA-86 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-C-267)
Affirmed (3-0)

Richard T. v. Tiffany C., 26-ICA-90 (Fam. Ct. Fayette Cnty. No. FC-10-2023-D-198)
Affirmed (3-0)

Christopher M. v. Lucia M., 26-ICA-91 (Fam. Ct. Harrison Cnty. No. FC-17-2024-D-97)
Affirmed (3-0)

Ryan Hill v. Marshall County Coal Resources, 26-ICA-99 (Workers' Compensation Board of Review)
Affirmed (3-0)

RULE 20 ARGUMENT GRANTED

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

Oak Point Partners, LLC v. Larry Pack, in his Official Capacity as Treasurer of the State of West Virginia, 25-ICA-460 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-C-812) (2-0) (Chief Judge Greear, not participating)

Tyler Fernandes v. West Virginia Department of Human Services, Bureau for Social Services, 26-ICA-93 (W. Va. Off. of Inspector General Bd. of Rev. No. 25-BOR-2872) (3-0)

ORDERS

Orders of note were entered in the following cases:

Aaron K. Schwender v. City of Wheeling and Scott Adkins, in his official capacity as Acting Commissioner of WorkForce West Virginia, 26-ICA-243 (WorkForce W. Va. Bd. of Rev. No. R-2026-0220)
Motion to Reinstate Appeal Granted (3-0)

In re: Petition of R.B. for Expungement of Record, 26-ICA-326 (Cir. Ct. Randolph Cnty. No. CC-42-2025-P-134)
Motion to Reinstate Appeal Refused (3-0)

Marshall County Coal Resources v. Evan Meadows, 26-ICA-356 (Workers' Compensation Board of Review)
Motion for Stay Refused (3-0)

Christopher W. v. Hung-Ni W. and West Virginia Department of Human Services, Bureau for Child Support Enforcement, 26-ICA-323 (Fam. Ct. Jefferson Cnty. No. FC-19-2012-D-335)
Motion for Stay Refused (3-0)

Specialty Auto Sales WDR, LLC, and Kennedy Kabiru v. State of West Virginia ex rel. John B. McCuskey, Attorney General, 26-ICA-293 (Cir. Ct. Kanawha Cnty. No. CC-20-2025-P-172)
Motion to Dismiss Refused (3-0)