

STATE OF WEST VIRGINIA
SUPREME COURT OF APPEALS

C. CASEY FORBES, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

M.R.,
Petitioner Below, Petitioner

v.) No. 25-816 (Greenbrier County CC-13-2025-D-AP-3)

R.R.,
Respondent Below, Respondent

MEMORANDUM DECISION

The petitioner, M.R., appeals from the Circuit Court of Greenbrier County’s October 20, 2025, order denying his appeal of the family court’s termination of a domestic violence protective order (“DVPO”). On appeal, the petitioner argues that the family court and circuit court each failed to acknowledge or address that the DVPO’s entry violated his due process rights.¹ Upon our review, we determine that oral argument is unnecessary and that a memorandum decision affirming the circuit court’s order is appropriate. *See* W. Va. R. App. P. 21.

On September 7, 2016, the Family Court of Greenbrier County entered a DVPO against the petitioner following a hearing at which he “admitted to the facts of [an] incident as described by the [respondent],” his ex-wife. Per its terms, the DVPO expired on March 6, 2017. However, on October 19, 2017—for reasons that are unclear from the limited appendix record and without holding an additional hearing—the family court amended the DVPO to add the couple’s children as protected parties and extend the order’s enforcement “until further order of the court.”² Nothing in the appendix record indicates that the petitioner timely appealed the entry of the amended DVPO.

¹ The petitioner and the respondent are self-represented. Additionally, we use initials where necessary to protect the identities of those involved in this case. *See* W. Va. R. App. P. 40(e).

² The record on appeal includes a December 30, 2024, letter opinion issued by the Augusta County Circuit Court in Virginia (“the Virginia court”), declining to afford full faith and credit to the DVPO, as amended. The Virginia court found, among other things, that the family court had violated the petitioner’s due process rights by failing to provide him with notice or an opportunity to be heard before entering the amended order. After noting that “there [was] still a lack of clarity as to much of what took place,” the Virginia court found that the children’s guardian ad litem had requested the amended DVPO, that the family court’s purported amendment did *not* appear to comply with West Virginia law, and that the amended order had been entered—without a hearing—more than seven months *after* the original DVPO expired.

In June 2025, the respondent filed a petition to terminate the DVPO issued in her favor. Following a hearing in September 2025, which was attended by both parties, the family court granted the petition. The petitioner, who opposed the DVPO's termination, promptly appealed this ruling to the circuit court, which took up the matter at a hearing later that same month.³ After hearing the parties' arguments, the circuit court affirmed the family court's termination of the DVPO. Noting that the petitioner himself "had previously filed a motion seeking to have [the] protective order 'dismissed,'" the circuit court found that he failed to identify any basis upon which it could conclude that the family court either erred or abused its discretion. This appeal followed.

When reviewing a final order entered by a circuit court upon its review of a family court's final order, we review the family court's findings of fact for clear error, the application of law to the facts under an abuse of discretion standard, and questions of law de novo. *See* Syl. Pt. 1, *Riffle v. Riffle*, 235 W. Va. 430, 774 S.E.2d 511 (2015) (quoting Syl., *Carr v. Hancock*, 216 W. Va. 474, 607 S.E.2d 803 (2004)). On appeal, the petitioner does not specify any errors of fact or law committed by either the family court or the circuit court in terminating the DVPO but, instead, broadly alleges that these courts ignored the circumstances surrounding the order's creation and failed to address its illegality.⁴ Nor does the petitioner include (or cite to) a record sufficient for this Court to review the arguments presented to these tribunals. *See* W. Va. R. App. P. 10(c)(7) ("The argument must contain appropriate and specific citations to the record on appeal . . . that pinpoint when and how the issues in the assignments of error were presented to the lower tribunal."). Instead, the petitioner argues—without citing any legal authority to support this assertion—that terminating the DVPO was inappropriate because it should have been "vacated, as though it never existed." *See id.* (explaining that a litigant's argument must "cit[e] the authorities relied on"). Due to the various failures in the petitioner's brief, including his failure to specify any particular error below, we conclude that he is entitled to no relief. Further, to the extent that the petitioner requests that this Court now expunge the DVPO (or order that the circuit court do so), we again note that the petitioner cites to neither any authority providing for such a resolution nor to any portion of the appendix record in which he sought to have the relevant domestic violence records purged in accordance with West Virginia Code § 48-27-511.

Upon this record, and for the reasons stated above, we discern no error in the family court's termination of the DVPO or in the circuit court's affirmance of that termination. Accordingly, we affirm the circuit court's October 20, 2025, order.

³ The petitioner did not include a transcript of either the family court's September 2025 hearing or the circuit court's hearing in the record on appeal.

⁴ We stress that the order on appeal is the circuit court's October 20, 2025, affirming the family court's termination of the DVPO. To the extent the petitioner attempts to challenge the underlying 2017 order granting and/or extending the DVPO, the appendix record contains no evidence that the petitioner timely appealed this order (nor does the petitioner allege that he did so) or, alternatively, that the petitioner was unaware the order had been entered against him. *See* W. Va. Code § 48-27-510. Accordingly, the petitioner is barred from raising here any challenge to the substance of the amended DVPO.

Affirmed.

ISSUED: October 14, 2026

CONCURRED IN BY:

Chief Justice C. Haley Bunn
Justice William R. Wooton
Justice Charles S. Trump IV
Justice H. L. Kirkpatrick
Justice James W. Flanigan