



Supreme Court of Appeals State of West Virginia

News

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Supreme Court to hear Argument Dockets at Marshall University

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HUNTINGTON, W.Va. – The Supreme Court of Appeals of West Virginia will hear cases at Marshall University beginning at 10 a.m. on Tuesday, September 18, as part of the school's celebration of Constitution Week.

The public is invited to attend the Court session at the Joan C. Edwards Performing Arts Center. The Court's visit to Marshall is the fifth in the last eight years. Chief Justice Menis Ketchum was a member of the Marshall University Board of Governors from 2002 until his campaign for the Supreme Court, and he served as Chairman or Vice-Chairman of the Board from 2003 to 2008.

Marshall University is named for former U.S. Supreme Court Chief Justice John Marshall, who served on that Court from 1801 to 1835 and was the longest serving Chief Justice in United States history. He died two years before Marshall Academy was formed in 1837.

The Court is scheduled to hear two cases on a Rule 20 Docket:

- **Ron Durham and Rhonda Durham v. Freddie Chris Jenkins and Elisha Chastity Jenkins**, No. 11-0745. Petitioners appeal the circuit court's order requiring their dog be euthanized.
- **State of West Virginia v. Lisa Marie Davis**, No. 11-0587. Petitioner appeals a circuit court order affirming her magistrate court conviction of obstructing an officer.

The Court is scheduled to hear two cases on a Rule 19 Docket.

- **Jonathan Ray Marcus v. Lori Ann Staubs**, No. 11-0994. Petitioner Jonathon Ray Marcus appeals an adverse summary judgment order in a negligence case. The circuit court found that petitioner participated in providing alcohol to the two minor daughters of Respondent Lori Ann Staubs and that petitioner's actions were the proximate cause of the death of one of the daughters and the serious injury of the other daughter.
- **State of West Virginia v. Julia Surbaugh**, No. 11-0561. Petitioner Julia Surbaugh appeals her May 20, 2010, conviction for first-degree murder without a recommendation of mercy.

Documents filed in the cases can be found on the Court's website at

<http://www.courtsvw.gov/supreme-court/calendar/2012/dockets/sept-18-12ad.html>.