



Supreme Court of Appeals State of West Virginia

News

Administrative Office
1900 Kanawha Blvd., East
Bldg. 1, Room E-316
Charleston, West Virginia 25305
(304) 340-2305 Jennifer Bundy
(304) 340-2306 April Harless
(304) 558-4219 / TTY
(304) 558-1212 / FAX
Web Site: www.courtsvw.gov
Twitter: [WVCourts](https://twitter.com/WVCourts)
Flickr: www.flickr.com/photos/courtsvw/
Email: Jennifer.Bundy@courtsvw.gov
Email: April.Harless@courtsvw.gov

Supreme Court to hear cases in front of students in Elkins

For immediate release Wednesday, April 3, 2013

ELKINS, W.Va. – High School students from Randolph, Upshur, and Barbour Counties will have the opportunity to see the Supreme Court of Appeals of West Virginia in person when the court hears arguments in four cases beginning at 9 a.m. Tuesday, April 9, at the Randolph County Courthouse in Elkins.

The Supreme Court's visit to Elkins is part of the LAWS (Legal Advancement for West Virginia Students) program. LAWS, a partnership between the court system, schools, the Bar, and the community, teaches students about the Judicial Branch of government. Since Justice Robin Jean Davis began the program when she was Chief Justice in 1999, about 4,500 high school and college students in twenty-two counties have participated.

The public also is invited to attend if space permits; priority seating will be given to students.

Teachers whose classes will attend this year previously were invited to a training session with Supreme Court personnel. At that session, teachers received information about the state and federal court systems, suggested exercises for students, and summaries of the real Supreme Court cases their classes will hear. Later, volunteer attorneys from the area met with students to discuss the court system and the cases.

On the day of LAWS, students will hear arguments in the case they have studied then meet with the attorneys who argued that case in a "debriefing" session in the courtroom.

The Supreme Court held the first LAWS program in Beckley in 1999. Other LAWS programs have been held in Clarksburg, Huntington, Wheeling, Summersville, Martinsburg, Parkersburg, Charleston, Romney, Princeton, Lewisburg, Moundsville, and Charles Town.

The April 9 schedule follows. The first case will begin at 9 a.m. and the Court will continue until the docket is completed.

Original *Certiorari* case to be viewed by Elkins High School.

Angela Y. Smith v. West Virginia Crime Victims Compensation Fund and the West Virginia Court of Claims, No. 12-0117.

Petitioner Angela Smith's son was a student at Marshall University when he was shot and killed. Ms. Smith filed an application for an award under the Crime Victims Compensation Act. The Court of Claims found that her son was an innocent victim of crime and determined that Ms. Smith was entitled to reimbursement for her son's

medical, funeral, and burial expenses. She also requested reimbursement for her son's unpaid student loan obligations because she is the co-signor. The request for reimbursement for her son's student loan obligations was denied.

Case originating in Pocahontas County to be viewed by Harmon High School.
State of West Virginia v. Brandi B., No. 12-0100. Petitioner was adjudicated truant as a status offender. She wants the adjudication set aside due to alleged good cause for six of the nine absences. She also challenges the jurisdiction of the circuit court to continue probation until she graduates high school, potentially after her eighteenth birthday, due to the fact she is a status offender. (Justice Robin Jean Davis disqualified. Senior Status Justice Thomas E. McHugh sitting by temporary assignment.)

Case originating in Ohio County to be viewed by Pickens School and Tygarts Valley High School.
State of West Virginia v. Elliot Fitzsimmons, No. 11-0977. Petitioner appeals the circuit court's order affirming his removal from the Anthony Center and denying him credit for time served.

Case originating in Kanawha County to be viewed by Buckhannon-Upshur High School and Phillip Barbour High School.
State of West Virginia v. Timothy Ray Sutherland, No. 11-0799. Petitioner appeals his conviction of first degree murder and his sentence of life without mercy.

##