



# Supreme Court of Appeals State of West Virginia

# News

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## Court to hear docket at WVU College of Law, judge moot court competition

For immediate release Friday, March 1, 2013

MORGANTOWN, W.Va. – The Supreme Court of Appeals of West Virginia will hear four cases on a Rule 20 Argument Docket and judge the annual George C. Baker Cup moot court competition on Tuesday, March 5, at the West Virginia University College of Law in Morgantown.

The justices will hear arguments from 10 a.m. to noon in the Marlyn E. Lugar Courtroom at the College of Law. They will judge the moot court competition beginning at 1:30 p.m. at the same location. Both events are open to the public.

Justice Robin Jean Davis, Justice Menis Ketchum, and Justice Margaret Workman are graduates of the College of Law. Chief Justice Brent D. Benjamin has undergraduate and law degrees from The Ohio State University. Justice Allen H. Loughry II has law degrees from The American University, Washington College of Law (two degrees); the University of London; Capital University School of Law; and studied law at the University of Oxford.

The Court will hear the following cases. Documents in the cases can be accessed through links on the West Virginia Judiciary website at

<http://www.courtsvw.gov/supreme-court/calendar/2013/dockets/march-5-13ad.html>.

**SER Jennifer Fillinger, R.N. v. Laura Rhodes, Exec. Dir. WV Bd of Examiners for Registered Professional Nurses, No. 12-1055** - Petitioner seeks a writ of prohibition to stop further proceedings on two complaints filed against her.

**University Commons Riverside Home Owners Assoc. v. University Commons Morgantown, LLC, et al., No. 11-1577** - The circuit court of Monongalia County certifies six questions to the Court regarding an action brought by a condominium owners' association, on its own behalf and on behalf of the individual condominium owners, against defendants who designed, constructed, and marketed the condominium complex. All six questions address the West Virginia Common Interest Ownership Act ("COIA"), West Virginia Code §36B-3-101 to -119.

**Pamela Jean Games-Nelly, Prosecuting Attorney v. Hon. Joann Overington, Magistrate for Berkeley County; and Christopher Seidell, No. 11-1648** - The prosecutor appeals the circuit court's order denying a petition for prohibition. The prosecutor seeks to prohibit a magistrate's order directing the State to produce certain discovery to the defendant in a pending misdemeanor DUI case.

**Mountain State College v. Sheryl Holsinger, Sandra R. Carpenter and Mary J. Yeater, No. 11-1203** - Petitioner, Mountain State College, appeals the order of the Circuit Court of Kanawha County granting judgment in favor of respondents, graduates of Mountain State College's "Legal Assisting" program, for fraudulent inducement and unconscionable inducement to enroll in petitioner's legal assistant program.

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