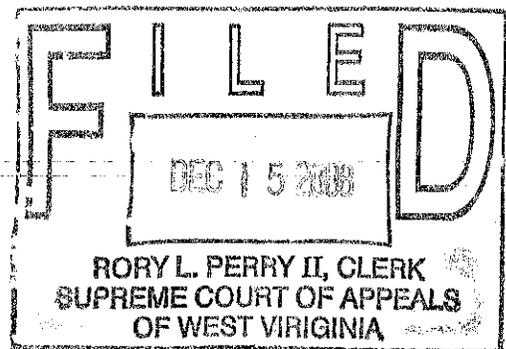


IN THE SUPREME COURT OF APPEALS FOR
THE STATE OF WEST VIRGINIA

Case Number: 34342

IN THE INTEREST OF:

MARANDA T.



APPELLANT'S REPLY BRIEF FOR RESPONDENT
MARTHA T.

Jason R. Grubb
(Bar ID No. 9559)
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PO Box 2056
Beaver, WV 25813
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TABLE OF AUTHORITIES

Cases

In re Billy Joe M., 206 W. Va. 1, 521 S.E.2d 173 (1999).....1

TABLE OF CONTENTS

Table of Authorities.....ii

I. KIND OF PROCEEDING AND RULING BELOW.....1

II. STATEMENT OF FACTS.....1

III. STANDARD OF REVIEW.....1

IV. DISCUSSION OF LAW1

V. CONCLUSION.2

I. KIND OF PROCEEDING AND RULING BELOW

Respondent relies upon the kind of proceedings and rulings below previously stated in her original brief.

II. STATEMENT OF FACTS

Respondent relies upon the statement of facts made in her original brief.

III. STANDARD OF REVIEW

Respondent relies upon the standard of review made in her original brief.

IV. DISCUSSION OF LAW

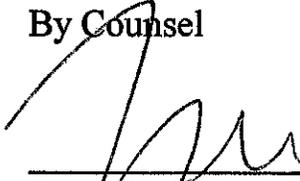
The Department of Health and Human Resources has stated they agree that Billy Joe M. is the controlling factor in this case. In re Billy Joe M., 206 W. Va. 1, 521 S.E.2d 173 (1999). However, Respondent avers that they are misapplying this Court's ruling. Long-term services were provided during the Improvement Period, however, Respondent avers that this Court has previously ruled that long-term services that are anticipated by this ruling are long-term in-home services outside the Improvement Period more of a permanent basis.

V. CONCLUSION

Respondent respectfully requests that the Court reverse the ruling of the Trial Court in this matter and grant a Dispositional Improvement Period with specific instructions to provide long-term services outside the Improvement Period to the Respondent. In the alternative, that this case be reversed and remanded to the Trial Court for further proceeding consistent with this Court's ruling.

Respectfully submitted this the 8th day of December, 2008.

MARTHA T.
By Counsel



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CERTIFICATE OF SERVICE

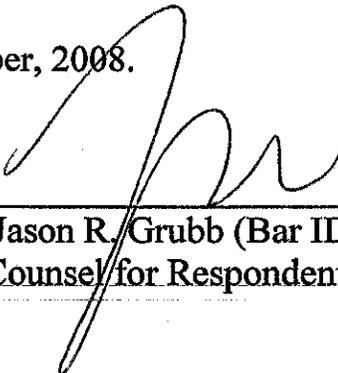
I, hereby certify that a true and exact copy of the foregoing has been mailed by U.S. Mail, postage prepaid to all interested parties as follows:

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This the 8th day of December, 2008.



Jason R. Grubb (Bar ID# 9559)
Counsel for Respondent below