



DECISIONS, NOTICES AND ORDERS

Friday, October 21, 2011

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

State of West Virginia v. Alfonso Frank Sanchez, No. 11-0314 (Berkeley 09-F-55)
Affirmed (4-1)(Justice Benjamin dissenting)

National City Bank v. Landau Building Company, Nos. 11-0437 and 11-0438
(Monongalia 08-C-219)
Affirmed (4-1)(Justice Benjamin dissenting)

State of West Virginia v. Rick W. Snodgrass, No. 11-0496 (Roane 09-F-49 and 09-M-04)
Affirmed (5-0)

State of West Virginia v. Christopher Shane Delaney, No. 11-0406 (Roane 09-F-32)
Affirmed (5-0)

Anna-Marie Wilson, M.D. v. WV University School of Medicine, Department of OB/GYN,
No. 11-0600 (Monongalia 07-C-AP-26)
Affirmed (4-0)(Chief Justice Workman disqualified)

State of West Virginia v. William Haden McKinney, No. 11-0607 (Raleigh 09-F-334)
Affirmed (5-0)

State of West Virginia v. Wes Allen Barrett, No. 11-0306 (Hampshire 09-F-10)
Affirmed (5-0)

Michaela Livengood, Administratrix v. Ronald Schleger and the County Commission of Preston County, No. 11-0388 (Preston 06-C-126)
Affirmed (5-0)

Mark Allen Blair v. Daniel B. Dotson, III, Assistant Prosecuting Attorney, No. 11-0390
(Jackson 09-P-9)
Affirmed (4-0)(Justice McHugh disqualified)

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Virgil Dingess v. Joe E. Miller, Commissioner, No. 11-0557 (Logan 10-AA-4)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on a date to be determined by the Clerk:

Big Lots Stores, Inc. v. Rebecca Arbogast and Kevin Arbogast, No. 11-1260 (Wood 06-C-209)

RULE 20 ARGUMENT GRANTED

The following cases will be scheduled for Rule 20 oral argument on a date to be determined by the Clerk; unless otherwise stated:

SER WV Department of Transportation, Division of Highways v. Hon. Jeffrey B. Reed, Judge, Nos. 11-1358 and 11-1360 (Original Prohibitions)
Consolidated and returnable on January 11, 2012 Argument Docket.

Century Aluminum of West Virginia, Inc. v. Jackson County Commission, et al., No. 11-0590
(Jackson 10-AA-2)

State of West Virginia v. Tony Curtis Myers, No. 11-0497 (Kanawha 07-F-569)

State of West Virginia v. Timothy J. Judge, No. 11-0089 (Tyler 10-F-29)

Frederick Armstrong v. WV Division of Culture and History, No. 11-0698 (Kanawha 08-AA-82)

ORDERS

Orders of note were entered in the following cases:

Phoenix Society of West Virginia, Inc. v. The County Commission of Hancock County, Pre-Petition No. 11-074 (Hancock 09-C-92R)
Motion for stay refused (5-0)

State of West Virginia v. Nick Ryniawec, No. 11-1125 (Brooke 09-F-84)
Petition for bail refused (5-0)

State of West Virginia v. Charles Ray Blevins, No. 11-0850 (Cabell 07-F-128)
Petition for bail refused (5-0)

Rodney Mills v. Dan Ryan Builders, No. 11-0254 (Berkeley 09-C-982)
Motion for stay granted conditioned upon the posting of bond (5-0)

In Re: Petition of Amy Beth Maloy for Voluntary Resignation from the West Virginia State Bar
No. 11-1034 (Lawyer Disciplinary)
Petition granted (5-0)

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In Re: Petition of Robert B. Manetta for Voluntary Resignation from the West Virginia State Bar
No. 11-1037 (Lawyer Disciplinary)
Petition granted (5-0)

Office of Disciplinary Counsel v. Denney William Bostic, No. 11-1344 (Lawyer Disciplinary)
Law license annulled by consent

State of West Virginia v. Jeffrey Kyle Taylor, No. 11-0055 (Harrison 10-F-129-3)
Dismissed

COURT RULES

An order regarding court rules was entered in the following:

Proposed Guidelines for Guardians ad Litem in Family Court

Amendments to Trial Court Rule 21

Amendments to Rule 47 of the Rules of Practice and Procedure for Family Court

A forty-five day period of public comment was approved on the proposed guidelines and rule changes, to conclude on December 31, 2011. All public comments are to be filed with the Clerk of Court.