



DECISIONS, NOTICES AND ORDERS

Friday, October 4, 2013

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:

T.A.M. v. C.M.K., No. 12-0544 (Monongalia 11-DV-569)
Dismissed as Moot (5-0)

Risa Dean v. Michael Gates, No. 12-0929 (Kanawha 12-C-404)
Affirmed (5-0)

Ricky Vincent Pendleton v. David Ballard, Warden, No. 12-0971 (Fayette 12-C-214)
Affirmed (5-0)

Kenneth J. Manns v. David Ballard, Warden, No. 12-1194 (Mercer 07-C-25)
Dismissed as Premature (5-0)

Gary Holmes v. Byron Craig Manford, No. 12-1047 (Berkeley 12-C-164)
Affirmed (5-0)

Greg Givens and Dennis Givens v. Rebecca Randolph, et al., Nos. 12-0946 and 12-0981
(Ohio 11-C-35 and 11-C-36)
Affirmed (5-0)

Frank L. Ferguson v. Evelyn Seifert, Warden, No. 12-1195 (Marshall 12-C-171)
Affirmed (5-0)

K.W. v. C.W., No. 12-1197 (Boone 03-D-289)
Affirmed (5-0)

Warren Franklin and Charles Franklin v. Jim Rubenstein, Commissioner, WV Division of Corrections; and David Ballard, Warden, No. 12-1288 (Kanawha 02-MISC-160, 02-MISC-163)
Affirmed (5-0)

Frank A. Bigham v. Peach Lake Farm Associations, Inc., et al., No. 12-1373 (Hampshire 12-C-87)
Affirmed (5-0)

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Carlotta Evans v. Richard Jones and Cammie Chapman, No. 12-0921 (Nicholas 11-C-138)
Affirmed (5-0)

Donald Lee Taylor v. Marvin Plumley, Warden, No. 12-1211 (Randolph 12-C-72)
Dismissed as Moot (5-0)

Darren Butler v. Marvin Plumley, Warden, No. 12-1263 (Berkeley 11-C-1021)
Affirmed (5-0)

Jackie R. v. David Ballard, Warden, No. 12-1302 (Ritchie 12-P-13)
Affirmed (5-0)

Dylan Batten v. City of Morgantown, No. 12-1354 (Monongalia 12-M-AP-12)
Reversed and Remanded with directions (5-0)

Donald Lee Taylor v. Marvin Plumley, Warden, No. 12-1490 (Monongalia 12-C-592)
Dismissed as Moot (5-0)

James D. Desmond, Jr. v. LA Properties, LLC, No. 12-0914 (Kanawha 11-C-AP-149)
Affirmed (5-0)

Stephen F. Nelson v. James O. Marcum and Naomi Marcum, No. 12-1163 (Boone 12-C-AP-6)
Affirmed (5-0)

Carol Pizzuto v. Rebecca Randolph, et al., No. 12-1298 (Ohio 10-C-101)
Affirmed (5-0)

Trampus Thomas v. Trooper Crowder, Trooper Fields, Trooper Young, Trooper Bruno and the WV State Police, No. 12-1303 (Mercer 12-C-420)
Affirmed (5-0)

In Re: Wade Brining, No. 12-1409 (Randolph 12-P-39)
Affirmed (5-0)

William E. Akers v. City of Bluefield, No. 12-1221 (Mercer 11-M-AP-4)
Affirmed (5-0)

Dennis Summer and Sandra Rhodes v. Dawn Rhodes, et al., No. 12-1246 (Berkeley 12-C-83)
Affirmed (5-0)

Greg Givens v. Main Street Financial Services Corporation, No. 12-1299
(Ohio 10-C-43, 10-C-101)
Affirmed (5-0)

Christopher Cozad v. Marvin Plumley, Warden, No. 12-1416 (Monongalia 12-C-21, 12-C-678)
Affirmed (5-0)

Marty B. v. Patrick Mirandy, Warden, No. 13-0008 (Fayette 12-C-317)
Affirmed (5-0)

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Michael J. Kanode, Sr. v. Captain Mike Gills and the Mercer County Sheriff's Department,
No. 12-1347 (Mercer 12-C-300)
Affirmed (5-0)

David Cline v. The County Commission of Hancock County, No. 12-1418 (Hancock 12-P-35)
Affirmed (5-0)

Andrew C. Smith v. City of Morgantown, No. 12-1513 (Monongalia 12-M-AP-19)
Affirmed (5-0)

William K. Glover v. Marvin Plumley, Warden, No. 13-0044 (Randolph 12-C-133)
Affirmed (5-0)

William Shackelford v. WV Department of Health and Human Resources, No. 13-0139
(Wood 12-P-135)
Affirmed (5-0)