



DECISIONS, NOTICES AND ORDERS

Tuesday, September 6, 2016

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:

In Re: M.N., No. 15-1033 (Wirt 15-JD-1)
Affirmed (5-0)

State of West Virginia v. Melinda Helmick, No. 15-1185 (Ritchie 15-F-2)
Affirmed (5-0)

State of West Virginia v. Brian Anderson Merchant, No. 15-1141 (Marion 12-F-27)
Affirmed (5-0)

In Re: K.H., K.H., and K.H., No. 16-0195 (Wood 14-JA-111, 112, 113)
Affirmed (5-0)

In Re: J.S., J.S., J.S., and J.S., No. 16-0315 (Clay 15-JA-42 through 15-JA-45)
Affirmed (5-0)

In Re: J.S., J.S., J.S., and J.S., No. 16-0334 (Clay 15-JA-42 through 15-JA-45)
Affirmed (5-0)

Banner Catlett v. David Ballard, Warden, No. 15-0567 (Berkeley 07-C-60)
Affirmed (5-0)

Stephen M. Gaultney v. Marvin C. Plumley, Warden, No. 15-1006 (Mercer 14-C-475)
Affirmed (5-0)

Andrew M. Miller v. David Ballard, Warden, No. 15-1088 (Mercer 14-C-66)
Affirmed (5-0)

State of West Virginia v. Thomas Williams, No. 15-1009 (Monongalia 13-F-122)
Affirmed (5-0)

ORDER LIST
September 6, 2016
Page 2

State of West Virginia v. Frederick J. Fluharty, No. 15-1067 (Marion 13-F-231)
Affirmed (5-0)

In Re: H.W., No. 16-0317 (Webster 15-JA-56)
Reversed and Remanded (3-2) (Chief Justice Ketchum and Justice Loughry)

In Re: B.S. and A.S., No. 16-0336 (Cabell 14-JA-175, 176)
Affirmed (5-0)

In Re: A.A., No. 16-0358 (Raleigh 15-JA-28)
Affirmed (5-0)

In Re: S.C., K.M., II, and D.M., No. 16-0426 (Mineral 15-JA-11,13,14)
Affirmed (5-0)

State of West Virginia v. Dennis Abe Arbough, No. 15-0685 (Randolph 13-F-101)
Affirmed (5-0)

State of West Virginia v. Jacqueline Hairston, No. 15-0745 (McDowell 14-F-229)
Affirmed (5-0)

State of West Virginia v. Dwayne K., No. 15-0773 (Greenbrier 11-F-62, 12-F-125)
Affirmed (5-0)

State of West Virginia v. Robert Wayne Prince, No. 15-0471 (Wayne 14-F-082)
Affirmed (5-0)

State of West Virginia v. April Dawn Hamrick, No. 15-0790 (Webster 15-F-11)
Affirmed (5-0)

State of West Virginia v. Christopher L. Palmer, No. 15-0858 (Fayette 14-F-233)
Affirmed (5-0)

State of West Virginia v. Thomas H., No. 15-0877 (Wirt 14-F-22)
Affirmed (5-0)

In Re: I.M., No. 16-0175 (Wood 14-JA-77)
Affirmed (5-0)

In Re: J.G., L.G., and N.G., No. 16-0337 (Fayette 14-JA-116,117, 15-JA-02)
Affirmed (5-0)

Eileen Daniels v. Garry Daniels, No. 15-1089 (Cabell 14-D-504)
Affirmed (5-0)

State of West Virginia v. David A. Thompson, No. 15-0292 (Fayette 14-F-190)
Affirmed (5-0)

ORDER LIST
September 6, 2016
Page 3

State of West Virginia v. S.Y., No. 15-0591 (Clay 14-JD-9)
Affirmed (4-0) (Justice Benjamin disqualified.)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument on the date stated:

Raymond Pratt v. David Ballard, Warden, No. 15-1157 (Marion 12-C-415)
October 25, 2016

State of West Virginia v. Robert Hernandez, Jr., No. 15-0538 (Monongalia 14-F-314)
October 11, 2016

John Straley v. Putnam County Board of Education, No. 15-1207 (Kanawha 14-AA-91)
November 1, 2016

Donna Fridley v. Jack Plum, No. 15-1140 (Tucker 14-D-14)
November 1, 2016

ORDERS

Orders of note were entered in the following cases:

State ex rel. Mark Gomez v. West Virginia Lawyer Disciplinary Board, No. 16-0263
(Original Mandamus)
Petition refused (5-0)

State ex rel. Jack R. Watts v. West Virginia Division of Corrections and David Ballard, Warden, No. 15-1209 (Original Mandamus)
Petition refused (5-0)