



DECISIONS, NOTICES AND ORDERS

Friday, January 27, 2012

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.

REHEARINGS

The Court took the following action on petitions for rehearing:

Joe E. Miller, Commissioner, WV Division of Motor Vehicles v. Richard McKeever, No. 11-0594
(Ohio 10-CAP-20)
Refused (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; unless otherwise stated:

SER The Affiliated Construction Trades Foundation v. Hon. James C. Stucky, Judge, et al.,
No. 11-1690 (Original Prohibition)
Rule to show cause issued returnable April 25, 2012 (5-0)

Michael J. Gleason v. George Janice, Warden, No. 11-0544 (Marion 10-C-60)

Kerry Savard, Personal Representative v. Cheat River Outfitters, Inc., et al., No. 11-0430
(Jefferson 10-C-94)

Lola Melinda Watkins v. McDowell County Board of Education, et al., No. 11-0420
(Kanawha 10-AA-157) (Justice Workman disqualified)

State of West Virginia v. David D. Griffy, No. 11-0533 (08-F-92, 08-F-370, 09-F-92)

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 Darrell V. McGraw, Jr., Attorney General v. Hon. Charles E. King, Jr., Judge, et al.,
No. 11-1644 (Original Prohibition)
Rule to show cause issued returnable April 25, 2012 (3-2)(Justices Davis and Benjamin)

ORDER LIST
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Jan H. Cunningham and Lynn Cunningham v. Herbert J. Thomas Memorial Hospital Association, No. 11-0398 (Kanawha 08-C-893)

Michael Brown v. Michael Coleman, Acting Warden, No. 11-0378 (Cabell 02-C-357)

Estate of Roger G. Fussell, et al. v. Kristi Fortney and Chanda Collette, No. 11-0428 (Randolph 10-C-157)

Robert P. Bansbach and Rickie Bansbach v. Daniel Harbin and Mary Fanok, No. 11-0355 (Marion 10-C-05)

ORDERS

Orders of note were entered in the following cases:

In Re: R.D. and D.D., No. 11-1467 (Logan 11-JA-58, 59)
Motion for stay refused (4-1)(Justice Workman)

SER Joshua Slater v. Hon. Carrie L. Webster, Judge, No. 11-1714 (Original Mandamus)
Rule to show cause issued unless sooner mooted (5-0)

Zina G. Bibb, et al. v. Monsanto Company, et al., No. 11-1665 (Putnam 04-C-465)
Consideration of motion for stay deferred until February 9, 2012 (4-1)(Chief Justice Ketchum)

SER Jerel Addison Garner v. Hon. Alfred E. Ferguson, Judge, et al., No. 12-0099
(Original Mandamus and Habeas)
Consideration of petition deferred until February 1, 2012 (5-0)

Lawyer Disciplinary Board v. Michael Esposito, Nos. 10-4018 and 35724 (Lawyer Disciplinary)
Law license suspended indefinitely with other sanctions (5-0)

Donna Saunders v. Wheeling Housing Authority, No. 11-1534
Dismissed (5-0)