



DECISIONS, NOTICES AND ORDERS -

Friday, May 25, 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:

James E. Collins v. Messenger Limited Partnership, Inc., Nos. 11-0086 and 11-0901 -
(Preston 09-C-159) -
Petition Refused (5-0) -

MEMORANDUM DECISIONS

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

Charleston Academy of Beauty Culture, Inc. v. WV Human Rights Commission, Harry Walter -
Robinson and Tyleemah Edwards, No. 11-1286 (Kanawha 09-AA-168, 169) -
Affirmed (4-1) (Chief Justice Ketchum dissenting) -

A. Gene Buckner v. Mike Vinciguerra, Jr., No. 11-0707 (Mercer 11-C-20)
Affirmed (5-0)

Robert Q. Sayre, Jr., Administrator v. State Farm Fire & Casualty Company, No. 11-0962 -
(Jackson 03-C-84) -
Affirmed (4-1) (Justice Davis dissenting) -

Kristian E. Warner and Joyce Warner v. Landau Building Company, No. 11-0483 -
(Monongalia 08-C-557) -
Affirmed (4-0) (Justice Benjamin disqualified) -

State of West Virginia v. Stephen Wilson, No. 11-0716 (Wayne 08-F-077)
Affirmed (5-0)

Richard E. Lemaster v. GEICO General Insurance Company, No. 11-0883 (Berkeley 09-C-926)
Affirmed (5-0)

Toshanda Mahon, et al. v. White Flame Energy, Inc., No. 11-1280 (Mingo 06-C-380)
Affirmed (5-0)

ORDER LIST
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RULE 20 ARGUMENT GRANTED

The following case will be scheduled for Rule 20 oral argument on a date to be determined by the Clerk:

State of West Virginia v. Joshawa Clark, No. 11-0643 (Cabell 10-F-6)

RULE 19 ARGUMENT GRANTED

The following case will be scheduled for Rule 19 oral argument on a date to be determined by the Clerk; unless otherwise stated:

Lawyer Disciplinary Board v. David A. Aleshire, No. 35667 (Lawyer Disciplinary) -
Court does not concur with recommended disposition, set for September 25, 2012 docket (5-0) -

State of West Virginia v. Donald R. Short, Jr., No. 11-0776 (Webster 10-F-44) -
Rule to show cause issued in contempt issued returnable September 25, 2012. (5-0) -

State of West Virginia v. Ray A. Metz, No. 11-1323 (Ohio 10-F-101) -
Rule to show cause issued in contempt issued returnable September 25, 2012 (5-0) -

SER Town of Pratt v. Honorable James C. Stuckey, Judge, et al., No. 12-0442 -
(Original Prohibition) -
Rule to show cause issued returnable September 25, 2012 (4-1)(Justice Benjamin would refuse) -

Thomas McBride, Warden v. Joseph H. Lavigne, No. 11-0853 (Putnam 99-C-223)

In Re: Keaton R. and Patrick R., No. 11-0961 (Wayne 11-FIG-004)

ORDERS

Orders of note were entered in the following cases:

SER Heartwood Forestland Fund IV Limited Partnership v. Hon. Warren R. McGraw, Judge, -
No. 12-0445 (Original Prohibition) -
Petition refused (5-0) -

Jeffrey V. v. Mary V., No. 12-0520 (Harrison 08-D-291-4)
Motion for stay refused (5-0)

Lawyer Disciplinary Board v. Scott M. Dolin, No. 11-0510 (Lawyer Disciplinary) -
Law license suspended for thirty-six months (4-1)(Chief Justice Ketchum would issue more -
severe sanctions) -