



DECISIONS, NOTICES AND ORDERS

Friday, April 26, 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.

REHEARINGS

The Court took the following action on a petition for rehearing:

State of West Virginia v. Acie A. Bailey, No. 12-0234 (Fayette 11-F-131)
Refused (5-0)

MEMORANDUM DECISIONS

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

State of West Virginia v. Chadwick Emanuel Taylor, No. 12-0340 (Kanawha 11-F-587)
Affirmed (5-0)

Robert Adams v. West Virginia Department of Agriculture and Janet Fisher, No. 12-0615 (Kanawha 11-C-336)
Affirmed (5-0)

James Childers v. City of Bluefield, No. 12-0639 (Mercer 10-C-513)
Affirmed (5-0)

Earl Ambrose, Jr. v. John J. Sheeley, Administrator, Eastern Regional Jail, No. 12-0723 (Berkeley 10-C-973)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

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

Board of Trustees of the Weirton Policemen's Pension and Relief Fund v. The Jones Financial Companies, LLP; EDJ Holding Company, Inc.; Edward D. Jones & Co., L.P.; and Curt Randy Grossman, No. 12-0959 (Hancock 10-C-123)
October 2, 2013

ORDER LIST

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State of West Virginia v. Jerel Addison Garner, No. 12-0439 (Cabell 09-F-47)
October 2, 2013

John D. Longanacre, doing business as Longanacre Funeral Home v. Farmers Mutual Insurance Company, a West Virginia corporation, No. 12-0993 (Greenbrier 12-C-98)
October 2, 2013

Green Tree Servicing LLC v. Aimee Neeley Figgatt, No. 12-1143 (Raleigh 10-C-930)
October 2, 2013

Tresa Dellinger, individually and in her capacity as Executrix of the Estate of Amber Dellinger v. Pediatrix Medical Group, PC, No. 12-1069 (Kanawha 09-C-681)
October 2, 2013

RULE 20 ARGUMENT GRANTED

The following cases will be scheduled for Rule 20 oral argument on the date stated:

SER GlaxoSmithKline, LLC v. Hon. James H. Young, Jr., Judge, No. 13-0102
(Original Prohibition)
Consolidated with SER Discover Financial v. Hon. Nibert, Judge, No. 13-0086
May 14, 2013

SER Select Specialty Hospital – Charleston, Inc. and Select Medical Corporation v. Honorable James C. Stucky, Judge, No. 13-0281 (Original Prohibition)
October 1, 2013

Cavalry SPV I; Cavalry SPV II; Cavalry Investments, LLC; and Cavalry Portfolio Services, LLC v. Patrick Morrsey, Attorney General, No. 11-1564 and No. 12-0546 (Kanawha 10-C-994)
Consolidated – October 1, 2013

Master Mechanical Insulation, Inc. v. Richard Simmons, No. 12-1206 (Certified Questions – Cabell 06-C-0133)
October 1, 2013

ORDERS

Orders of note were entered in the following cases:

SER Beneficial West Virginia Inc. v. Honorable James C. Stucky, Judge, No. 13-0297
(Original Prohibition)
Petition refused (3-2) (Justices Ketchum and Loughry would issue a rule returnable to the circuit court for an evidentiary hearing)