



## DECISIONS, NOTICES AND ORDERS

**Friday, June 21, 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.

---

### REHEARING

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

State of West Virginia v. Michael H., No. 12-0253 (Kanawha 09-F-90)  
Refused (5-0)

### RULE 19 ARGUMENT GRANTED

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

State of West Virginia v. Brandon Flack, No. 12-0829 (Mercer 11-F-288)  
September 24, 2013

### RULE 20 ARGUMENT GRANTED

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

Cara New v. Gamestop, Inc. d/b/a GameStop; Aaron Dingess and David Trevathan, No. 12-1371  
(Logan 11-C-190) September 24, 2013

Robert Burnworth v. Kent George, Robinson & McElwee, PLLC and John T. Poffenbarger,  
No. 12-0991 (Kanawha 11-C-1851) September 24, 2013

Edwin Miller Investments, LLC v. CGP Development Company, Inc. and Jack C. Barr, Esq.,  
Trustee for CGP Development Company, Inc., No. 12-1137 (Berkeley 10-C-689)  
September 24, 2013

Bluestone Industries, Inc., a West Virginia corporation; Bluestone Coal Corporation, a West  
Virginia corporation; and Frontier Coal Company, a Delaware corporation v. Timothy Keneda,  
No. 12-1337 (Wyoming 08-C-256) September 24, 2013

ORDER LIST  
June 21, 2013  
Page 2

**ORDERS**

Orders of note were entered in the following cases:

We The Parents, a non-profit, voluntary association v. Rocco S. Fucillo, Cabinet Secretary, West Virginia Department of Health and Human Services, and Marian L. Swinker, M.D., M.P.H., Commissioner, Bureau of Public Health, No. 12-1394 (Kanawha 12-C-1700)  
Dismissed as moot by order (5-0)

SER Wendell Williamson v. Honorable Jay M. Hoke, Judge, No. 13-0530 (Original Mandamus)  
Petition refused (4-0) (Justice Workman disqualified)

SER Jay M. Potter v. Honorable Paul Zakaib, Jr, Judge, No. 13-0545 (Original Mandamus)  
Rule to show cause issued returnable September 4, 2013 unless sooner mooted by entry of an order.

State of West Virginia v. Beth Bennett, No. 13-0572 (Kanawha 13-M-2473)  
Stay granted (5-0)

SER John E. Mathena v. Honorable Robert Irons, Judge, No. 13-0609 (Original Mandamus)  
Petition refused (5-0)