



DECISIONS, NOTICES AND ORDERS

Monday, June 15, 2015

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:

Calvin T. Odom v. Partners for Payment Relief, DE III, LLC, et al., No. 14-0993
(Jefferson 13-C-464)
Affirmed (5-0)

Charles Kenneth Stone v. David W. Jones, Warden, No. 14-0715 (Fayette 13-C-325)
Affirmed (5-0)

Kevin Andre Boxley v. Scott E. Paugh, Warden, No. 14-1006 (Jefferson 99-F-25)
Affirmed (5-0)

In Re: C.W., No. 14-1001 (Webster 14-JA-3)
Affirmed (5-0)

In Re: B.C., D.C., and B.C., No. 14-1173 (Braxton 14-JA-13, 14-JA-14, 14-JA-15)
Affirmed (4-0) (Justice Davis not participating.)

In Re: B.C., D.C., and B.C., No. 14-1174 (Braxton 14-JA-13, 14-JA-14, 14-JA-15)
Affirmed (4-0) (Justice Davis not participating.)

In Re: E.W., No. 14-1190 (Mercer 14-JA-22)
Affirmed (5-0)

In Re: R.S., No. 15-0017 (Mercer 14-JA-56)
Affirmed (5-0)

In Re: K.S., No. 15-0051 (Calhoun 13-JA-54)
Affirmed (5-0)

In Re: I.J., W.J., G.J., and K.J., No. 15-0201 (Taylor 14-JA-19 through 14-JA-22)
Affirmed (5-0)

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Bernard Thompson v. Lunia Thompson, No. 14-1058 (Summers 12-C-43)
Affirmed (5-0)

Stephen Meade and Jackie Meade v. James Patterson, No. 14-1156 (Ohio 13-C-99)
Affirmed (5-0)

State of West Virginia v. Gregory Fugate, No. 14-0193 (Kanawha 13-F-534)
Affirmed (5-0)

State of West Virginia v. William Cline, No. 14-1098 (Mingo 95-F-74)
Affirmed (5-0)

State of West Virginia v. Mark Turner, No. 14-1196 (Pendleton 97-F-6, 97-F-9)
Affirmed (5-0)

In Re: O.B. and R.M., No. 14-1233 (Wood 13-JA-86, 13-JA-87)
Affirmed (5-0)

In Re: K.J., E.J., and E.A., No. 14-1270 (Putnam 14-JA-7 through 14-JA-9)
Affirmed (5-0)

In Re: H.W. and R.W., No. 15-0019 (Nicholas 14-JA-46, 14-JA-47)
Affirmed (5-0)

In Re: A.H., H.H., and A.S., No. 15-0052 (Nicholas 14-JA-51 through 14-JA-53)
Affirmed, in part. Reversed, in part. Remanded (5-0)

In Re: M.J., No. 15-0084 (Raleigh 14-JA-46)
Affirmed (5-0)

Lawrence William Stuckey v. David Ballard, Warden, No. 13-1253 (Kanawha 09-MISC-205)
Affirmed (5-0)

State of West Virginia v. Richard D., No. 13-1250 (Randolph 12-F-43)
Affirmed (5-0)

State of West Virginia v. Frank D., No. 14-0825 (Fayette 07-F-140)
Affirmed (5-0)

Janice Hope Smith v. Eric Scott Smith, No. 14-0759 (Tucker 13-D-31)
Affirmed (5-0)

Morgan W. v. Leigha W., No. 14-0853 (Kanawha 12-D-1933)
Affirmed (5-0)

In Re: Adoption of S.S., No. 14-1103 (Mercer 13-A-35)
Affirmed (5-0)

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In Re: A.L., No. 14-1127 (Raleigh 14-JA-36)
Affirmed (5-0)

In Re: R.S., No. 14-1192 (Mercer 14-JA-56)
Affirmed (3-2) (Justices Davis and Ketchum dissenting)

In Re: S.C., No. 14-1252 (Randolph 13-JA-16)
Affirmed (4-1) (Justice Ketchum dissenting)

In Re: A.W., N.S., and E.S., No. 14-1276 (Mercer 14-JA-27 through 14-JA-29)
Affirmed (5-0)

In Re: D.C., M.C., and M.C., No. 15-0066 (Wood 14-JA-8 through 14-JA-10)
Affirmed (5-0)

In Re: S.H. and B.H., No. 15-0104 (Lewis 14-JA-10, 14-JA-11)
Affirmed (5-0)

In Re: O.B., No. 15-0116 (Wood 13-JA-86)
Affirmed (5-0)

In Re: K.P. and V.P., No. 15-0146 (Gilmer 14-JA-13, 14-JA-14)
Affirmed (5-0)

Stephen J. Tamburo, III v. Evelyn Seifert, Warden, No. 14-0287 (Morgan 12-P-41)
Affirmed (5-0)

In Re: S.J., No. 15-0043 (Jackson 14-JA-41)
Affirmed (5-0)

In Re: O.S., No. 15-0141 (Logan 14-JA-32)
Affirmed (5-0)

In Re: H.R., No. 15-0154 (Mercer 14-JA-94)
Affirmed (5-0)

State of West Virginia v. Robbie Ray Whetzel, No. 14-0755 (Hampshire 11-F-11, 13-F-55)
Affirmed (4-1) (Justice Davis dissenting)

James Wesley Ivy, Jr. v. The City of Montgomery, et al., No. 14-0762 (Fayette 14-C-80)
Affirmed (4-1) (Justice Davis dissenting)

State of West Virginia v. Shawn Ganey, No. 14-0860 (Berkeley 13-F-79)
Affirmed (5-0)

In Re: M.D., K.S., L.S., and C.C., No. 14-1182 (Clay 14-JA-45 through 14-JA-50)
Affirmed, in part. Reversed, in part. Remanded (5-0)

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State of West Virginia v. William Nicholson, No. 14-1036 (Monongalia 09-F-190)
Affirmed (4-1) (Justice Davis dissenting)

State of West Virginia v. Donald B., No. 13-1205 (Ohio 99-F-61)
Affirmed (4-1) (Justice Davis dissenting)

J.E. v. L.A., No. 14-0137 (Nicholas 13-D-145)
Affirmed (5-0)

Mark M. II v. Brandon M., No. 14-0213 (Wayne 13-CIG-R-003)
Affirmed (5-0)

In Re: K.M., No. 14-0863 (Ritchie 13-JA-29)
Affirmed (4-1) (Justice Davis dissenting)

RULE 19 ARGUMENT GRANTED

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

In Re: M.M., B.M., C.Z., and C.S., No. 14-1206 (Roane 14-JA-8 through 14-JA-11)
September 22, 2015

RULE 20 ARGUMENT GRANTED

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

State of West Virginia v. Jerry Lee Hedrick, No. 14-0484 (Mineral 09-F-58)
September 23, 2015

ORDERS

Orders of note were entered in the following cases:

SER Clifton Davis Street v. Hon. Derek C. Swope, Judge, No. 14-1343 (Original Mandamus)
Petition refused (5-0)

SER Larry Paul McClure, Sr. v. Jim Rubenstein, Commissioner, Division of Corrections,
No. 15-0319 (Original Mandamus)
Petition refused (5-0)

SER Michael Harvey v. Hon. Robert A. Burnside, Jr., Judge, et al., No. 15-0085
(Original Mandamus)
Petition refused (5-0)

SER Anthony Miller v. Dennis Dingus, Warden, No. 15-0186 (Original Mandamus)
Petition refused (5-0)

SER Charles F. Nesbit, Hon. Jacob E. Reger, Judge, No. 14-1165 (Original Mandamus)
Petition refused (5-0)