



DECISIONS, NOTICES AND ORDERS

Friday, May 20, 2016

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:

Leslie and Donna McKinney Trust, et al. v. The Brier Patch, L.C., No. 14-0850
(Greenbrier 13-C-126)
Affirmed (5-0)

Carole Hanlon v. AXA Equitable Life Insurance and Joseph Funderburk, II, No. 15-0337
(Kanawha 11-C-132)
Affirmed (5-0)

State of West Virginia v. Andrew Rios, No. 15-0347 (Ohio 08-F-7)
Affirmed (4-1) (Chief Justice Ketchum dissenting)

State of West Virginia v. Jesse Allen Burns, Richard Kuykendall, Joseph Kidwell, and Randall Buckley, No. 15-0470 (Hardy 15-M-AP-3)
Affirmed (5-0)

Michelle Effron Miller, Administratrix v. The Board of Governors of Fairmont State University, No. 15-0390 (Marion 12-C-262)
Affirmed (5-0)

Town of Cowen v. Junior Cobb, No. 15-0438 (Webster 14-CAP-1)
Affirmed (5-0)

Kilton Lee Kitchen v. David Ballard, Warden, No. 15-0463 (Hampshire 11-C-97)
Affirmed (5-0)

Melissa C. v. WV Department of Health and Human Resources, et al., No. 15-0863
(Kanawha 14-C-567)
Affirmed (5-0)

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Robert W. v. Paulette W., No. 15-1010 (Kanawha 11-D-53)
Affirmed (5-0)

Gregory J. Reed v. WV State Police, No. 15-0598 (Kanawha 14-AA-129)
Affirmed (4-0) (Justice Workman disqualified)

Travis G. v. Allyson H., No. 15-0661 (Kanawha 14-D-93)
Reversed and Remanded (3-0) (Justices Benjamin and Workman disqualified)

Bonita Redd v. McDowell County Board of Education and West Virginia Department of Education, No. 15-0566 (McDowell 13-C-19)
Affirmed (4-0) (Justice Workman disqualified)

Jeffrey Formulak v. Bank of Charles Town, No. 15-0643 (Jefferson 14-C-411)
Affirmed (5-0)

Robert Thomas v. Dennis Dingus, Warden, No. 15-0712 (Wyoming 15-C-103)
Affirmed (5-0)

Raheim Doleman v. Lance Yardley, Warden, No. 15-0780 (Berkeley 15-C-235)
Affirmed (5-0)

Harold M. v. David Ballard, Warden, No. 15-0813 (Wood 15-P-61)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

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

SER John Veard, et al. v. Hon. Lawrance S. Miller, Judge, and Arthur J. Summers,
No. 16-0346 (Original Prohibition)
September 21, 2016

Brenda Albert v. City of Wheeling, No. 15-0879 (Ohio 15-C-43)
October 4, 2016

Gregory G. Poulos, et al. v. LBR Holdings, LLC, No. 15-0907 (McDowell 13-C-213)
October 5, 2016

Standard Oil Company, Inc. v. Consolidation Coal Company, No. 15-0655 (Wetzel 14-C-39)
October 4, 2016

Herbert J. Thomas Memorial Hospital Association v. Susan Nutter, No. 15-0695
(Kanawha 11-C-1335)
September 14, 2016

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L.A. Pipeline Construction Company Inc. v. Glass Bagging Enterprises, Inc., No. 15-0970
(Marshall 11-C-70, 11-C-124, 12-C-47)
October 5, 2016

State of West Virginia v. Scott A. Neal, No. 15-0684 (Fayette 15-M-AP-2)
October 5, 2016

Ashley D. Gunno v. Kevin C. McNair, No. 15-0825 (Kanawha 12-C-1188)
October 5, 2016

State of West Virginia v. Summer McDaniel, No. 15-0641 (Hardy 14-F-41)
October 5, 2016

State of West Virginia v. Tyquan Livermon, No. 15-0087 (Kanawha 13-F-707)
September 14, 2016

RULE 20 ARGUMENT GRANTED

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

SER Westfield Insurance Company v. Hon. Joseph K. Reeder, Judge; and Mark and
Jennifer Hunter, No. 16-0361 (Original Prohibition)
October 4, 2016

Diane Horton, Executrix v. Professional Bureau of Collections of Maryland, Inc., No. 15-0692
(Putnam 13-C-273)
October 5, 2016

ORDERS

Orders of note were entered in the following cases:

In Re: M.F., No. 16-013 (Berkeley 14-JD-119, 142)
Motion to stay granted. (4-1) (Justice Benjamin)

In Re: J.W., No. 16-014 (Berkeley 13-JD-92)
Motion to stay granted (4-1) (Justice Benjamin)

Office of Disciplinary Counsel v. Jason R. Grubb, No. 16-0121 (Lawyer Disciplinary)
License to practice law annulled. (5-0)

Lawyer Disciplinary Board v. Donna Price, No. 15-0604 (Lawyer Disciplinary)
License to practice law annulled. (5-0)