

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: ASSIGNMENT OF **THE HONORABLE RUSSELL M. CLAWGES JR.**, JUDGE OF THE SEVENTEENTH JUDICIAL CIRCUIT; **THE HONORABLE TIMOTHY L. SWEENEY**, JUDGE OF THE THIRD JUDICIAL CIRCUIT; **THE HONORABLE H. CHARLES CARL III**, JUDGE OF THE TWENTY-SECOND JUDICIAL CIRCUIT; AND **THE HONORABLE R. CRAIG TATTERSON**, JUDGE OF THE FIFTH JUDICIAL CIRCUIT, TO THE SUPREME COURT OF APPEALS OF WEST VIRGINIA TO PARTICIPATE IN THE PROCEEDING STYLED STATE OF WEST VIRGINIA EX REL. WILLIAM K. SCHWARTZ, PETITIONER VS. JAMES JUSTICE, GOVERNOR OF THE STATE OF WEST VIRGINIA; MAC WARNER, WEST VIRGINIA SECRETARY OF STATE; EVAN JENKINS; AND TIM ARMSTEAD, RESPONDENTS, CASE NO. 18-0789

The Honorable Margaret L. Workman, Chief Justice of the Supreme Court of Appeals of West Virginia, and the Honorable Elizabeth D. Walker, Justice of the Supreme Court of Appeals of West Virginia, have advised the Clerk of the Court that they have voluntarily recused themselves from participating in the above-captioned case.

The resignations of Justice Menis E. Ketchum II and Justice Robin Jean Davis created vacancies in the offices of justice of the Supreme Court of Appeals of West Virginia that have not yet been filled as provided in Article VIII, Section 7 of the Constitution of West Virginia.

By order entered August 9, 2018, the Honorable Paul T. Farrell, Judge of the Sixth Judicial Circuit, was temporarily assigned to the Supreme Court of Appeals of West Virginia pursuant to Article VIII of the Constitution of West Virginia. In light of the voluntary recusals of Chief Justice Workman and Justice Walker, the Honorable Paul T. Farrell is Acting Chief Justice.

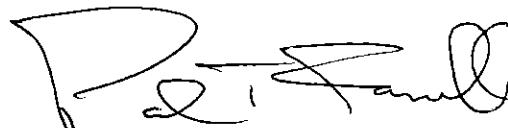
Acting Chief Justice Paul T. Farrell does appoint the following Judges to serve as Justices in the above-captioned case:

1. The Honorable Russell M. Clawges Jr., Judge of the Seventeenth Judicial Circuit;
2. The Honorable Timothy L. Sweeney, Judge of the Third Judicial Circuit;
3. The Honorable H. Charles Carl III, Judge of the Twenty-Second Judicial Circuit; and
4. The Honorable R. Craig Tatterson, Judge of the Fifth Judicial Circuit.

IT IS, THEREFORE, ORDERED, that Judges Clawges, Sweeney, Carl, and Tatterson, be, and they hereby are, assigned to the Supreme Court of Appeals of West Virginia, under the provisions of Article VIII, Section 2 of the Constitution of West Virginia for the purpose of consideration and deliberation in the above-captioned case; and


IT IS FURTHER ORDERED, that the Clerk of the Supreme Court of Appeals of West Virginia record this Order in the Office of said Clerk and that proceedings be held in the manner provided by law.

ENTERED: SEPTEMBER 18, 2018



PAUL T. FARRELL
Acting Chief Justice

Attest:



Edythe Nash Gaiser, Clerk of Court
Supreme Court of Appeals