

## STATE OF WEST VIRGINIA

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On December 2, 2025, the Supreme Court of Appeals of West Virginia made and entered the following order:

State of West Virginia ex rel.  
West Virginia Board of Education, Nancy J. White,  
in her official capacity as president of the Board of  
Education, Victor Gabriel, F. Scott Rotruck, L. Paul  
Hardesty, Robert W. Dunlevy, Christopher Stansbury,  
Deborah Sullivan, Gregory Wooten, Sarah Armstrong  
Tucker, and Cathy Justice, in their official capacities as  
members of the West Virginia Board of Education,  
Michele Blatt, in her official capacity as state  
superintendent of schools, Raleigh County Board of  
Education, Larry Ford, Richard Snuffer, Charlotte  
Hutchens, Marie Hamrick, and Marsha Smith, in their  
official capacities as members of the Raleigh County  
Board of Education, and Serena L. Starcher, in her  
official capacity as superintendent, Raleigh County  
Board of Education, and Jane Doe,  
Petitioners

v.) No. 25-740 (Raleigh County No. CC-41-2025-C-230)

Honorable Michael E. Froble,  
Judge Circuit Court of Raleigh County,  
Miranda G., individually and on behalf of her  
child A.G.; Carley Hunter, individually and on  
behalf of her child E.G. and others similarly situated,  
Respondent

## ORDER

On November 10, 2025, the petitioners West Virginia Board of Education, Nancy J. White,  
in her official capacity as president of the Board of Education, Victor Gabriel, F. Scott Rotruck, L.  
Paul Hardesty, Robert W. Dunlevy, Christopher Stansbury, Deborah Sullivan, Gregory Wooten,  
Sarah Armstrong Tucker, and Cathy Justice, all in their official capacities as members of the West  
Virginia Board of Education, Michele Blatt, in her official capacity as state superintendent of

schools, Raleigh County Board of Education, Larry Ford, Richard Snuffer, Charlotte Hutchens, Marie Hamrick, and Marsha Smith, all in their official capacities as members of the Raleigh County Board of Education, Serena L. Starcher, in her official capacity as superintendent, Raleigh County Board of Education, and Jane Doe, by counsel Benjamin L. Bailey, Christopher D. Smith, and Denali S. Hedrick, Bailey & Glasser LLP, Corey L. Palumbo, Robert J. Kent, and Leigh Anne Wilson, Bowles Rice LLP, Thomas J. Hurney, Jr., Jackson Kelly PLLC, and Marc E. Williams, Nelson Mullins Riley & Scarborough LLP, filed with the Court a “Rule 29(c) Expedited Motion to Stay” the proceedings in Raleigh County No. CC-41-2025-C-230 pending the outcome of their petition for prohibition, for the reasons stated. On the same date, the petitioners by counsel filed a “Motion for Leave to File Supplemental Appendix.” On November 13, 2025, the respondents Miranda G., individually and on behalf of her child A.G., and Carley Hunter, individually and on behalf of her child E.G. and others similarly situated, by counsel John H. Bryan, Aaron Siri, Walker D. Moller, and Chris Weist, filed a response in opposition to the motion for stay. On November 20, 2025, the respondents filed a response in support of the motion to supplement the appendix record.

The Court grants the petitioners’ November 10, 2025, motion to supplement the appendix record. The supplemental appendix record is ordered filed. The Court, on its own motion, supplements the appendix record with the November 26, 2025, “Findings of Fact, Conclusions of Law, and Order Granting Permanent Injunction and Declaratory Relief” entered by the Circuit Court of Raleigh County in case number CC-41-2025-C-230.

Upon consideration and review, the Court is of the opinion to, and does, grant the petitioners’ motion to stay. Enforcement of the circuit court’s November 26, 2025, “Findings of

Fact, Conclusions of Law, and Order Granting Permanent Injunction and Declaratory Relief" and any further proceedings in circuit court are stayed pending resolution of this petition for a writ of prohibition. However, this order does not toll any applicable appeal period.

A True Copy

Attest: /s/ C. Casey Forbes  
Clerk of Court

