

SUPREME COURT OF APPEALS OF WEST VIRGINIA

Larry Wayne Cantrell v. West Virginia Division of Corrections and Rehabilitation

Cantrell · No. No. 20-0163 · Decided December 10, 2020

SUMMARY

The West Virginia Supreme Court of Appeals reviewed the dismissal of Larry Wayne Cantrell's 42 U.S.C. § 1983 complaint concerning his conditions of incarceration. The court held that the circuit court's order lacked sufficient findings of fact and conclusions of law for meaningful appellate review and remanded the case with directions to enter an adequate order.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Chief Justice Tim Armstead; Justice Margaret L. Workman; Justice Elizabeth D. Walker; Justice Evan H. Jenkins; Justice John A. Hutchison
JURISDICTION	West Virginia
DECIDED	December 10, 2020
DOCKET	No. 20-0163
DISPOSITION	remanded
PROCEDURAL POSTURE	Petitioner appealed the Circuit Court of Kanawha County's pre-service dismissal of his 42 U.S.C. § 1983 complaint as frivolous and/or malicious under the West Virginia Prisoner Litigation Reform Act.
STANDARD OF REVIEW	De novo review applies to a circuit court order granting a motion to dismiss a complaint.
PRECEDENTIAL VALUE	Unpublished memorandum decision; the opinion applies established West Virginia law and remands for an adequate dismissal order.
PARTIES	Larry Wayne Cantrell v. West Virginia Division of Corrections and Rehabilitation

TOPICS

prisoners rights

section 1983

appellate procedure

standard of review

civil procedure

PRACTICE AREAS

civil rights

corrections and prisoners' rights

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the circuit court's terse dismissal of Cantrell's complaint as frivolous and/or malicious under the West Virginia Prisoner Litigation Reform Act was sufficient to permit meaningful appellate review.
2. Whether a court dismissing a prisoner civil action under West Virginia Code § 25-1A-4 must state specific factual findings and legal conclusions supporting the dismissal.

HOLDINGS

1. An order dismissing claims under West Virginia Code § 25-1A-4 must state the court's reasoning and set forth the specific factual and legal basis for the decision; the circuit court's boilerplate order was inadequate for meaningful appellate review.
2. Appellate review of a circuit court order granting a motion to dismiss a complaint is de novo.

KEY QUOTATIONS

"Orders dismissing claims pursuant to W.Va. Code, 25-1A-4 [2000] must state the court's reasoning and must set forth the specific factual and legal basis for the court's decision."

"a boilerplate reference to the statutory language."

FACTUAL BACKGROUND

Cantrell, a prisoner in the custody of the West Virginia Division of Corrections and Rehabilitation since 2010, alleged that he was repeatedly transferred to Mount Olive Correctional Complex after periods of punitive segregation and placed in the Quality of Life administrative-segregation program. He claimed that extended placements in the program exacerbated preexisting mental-health conditions, contributed to disciplinary violations, and caused post-traumatic stress disorder. He sued under 42 U.S.C. § 1983, alleging deliberate indifference to the substantial risk posed by long-term administrative segregation.

PROCEDURAL HISTORY

In December 2019, Cantrell filed a complaint seeking damages and injunctive relief concerning his long-term placement in administrative segregation and the Quality of Life program. Before issuing process, the Circuit Court of Kanawha County screened the complaint under the West Virginia Prisoner Litigation Reform Act and dismissed it on January 28, 2020, in a terse order stating only that the action was frivolous and/or malicious. The Supreme Court of Appeals of West Virginia remanded for entry of an order containing sufficient factual findings and legal conclusions to permit meaningful appellate review.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The circuit court must enter an order setting forth specific findings of fact and conclusions of law sufficient to permit meaningful appellate review of the dismissal under the West Virginia Prisoner Litigation Reform Act.

CASES CITED

- State v. Holstein, 235 W. Va. 56, 770 S.E.2d 556 (2015)
- Roth v. DeFeliceCare, Inc., 226 W. Va. 214, 700 S.E.2d 183 (2010)
- State ex rel. McGraw v. Scott Runyan Pontiac-Buick, Inc., 194 W. Va. 770, 461 S.E.2d 516 (1995)
- Ward v. Cliver, 212 W. Va. 653, 575 S.E.2d 263 (2002)

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