

## STATE OF WEST VIRGINIA

SCA EFiled: Jan 15 2026  
11:55AM EST  
Transaction ID 78216619

On January 15, 2026, the Supreme Court of Appeals of West Virginia made and entered the following order:

Sidewinder Enterprises, LLC,  
Petitioner

v.) No. 26-13 (Jefferson County No. CC-19-2025-C-93)

Jefferson County Planning Commission, and its Members, Bruce Chrisman, Donnie Fisher, Daniel Hayes, Aaron Howell, Cara Keys, Wade Louthan, Mike Shepp, Tim Smith, and J. Ware, in their official capacity, and Jefferson County Foundation, Inc., William E. Hewitt, David Liskey, William White Grantham, Kerry Lynn Grantham, Phyllis Grantham, Andrew Upright, Natalie Grantham Friend, Stacy Chapman, Timothy Smith, Barbara Smith, and Mary Lind, Intervenors, Respondents

### SCHEDULING ORDER

On January 9, 2026, the petitioner Sidewinder Enterprises, LLC, by counsel Susan R. Snowden, Jackson Kelly, PLLC, Robert G. McLusky and Colton J. Koontz, Jackson Kelly, PLLC, presented to the Court a timely and complete notice of appeal from an order of the Circuit Court of Jefferson County entered on December 17, 2025. The appeal has been placed on the docket as No. 26-13, in accord with Rule 5(b) of the Rules of Appellate Procedure. All filings related to this appeal must refer to this Court's docket number and use the case caption set forth in this order.

Under West Virginia Code § 59-1-13, this appeal is subject to a filing fee of \$200 upon docketing of the case unless a fee waiver is granted. The Court acknowledges receipt of the \$200 filing fee.

The petitioner indicated that a transcript has been previously prepared.

The parties to this appeal are encouraged to agree on the contents of the appendix.

Pursuant to 7(e) Rules of Appellate Procedure, if no agreement is reached, the petitioners must prepare a list of the parts of the record that the petitioners intend to include in the appendix, along with a list of any issues intended to be presented that were not included in the notice of appeal and serve the list on the respondent on or before March 9, 2026.

The deadline to perfect the appeal is April 17, 2026, with the filing of the brief and appendix. If the appeal is not perfected on or before April 17, 2026, the appeal will be dismissed. The petitioners may perfect the appeal at any time on or before the deadline for perfecting the appeal.

If the appeal is perfected, the respondent is directed to file a respondent's brief, or a summary response, on or before June 1, 2026, or within forty-five days of the date the appeal is perfected if the appeal is perfected before April 17, 2026. Any reply brief deemed necessary shall be filed by the petitioners on or before June 22, 2026, or within twenty days of the respondent's brief.

**SUMMARY OF DEADLINES: APPEAL No. 26-13**

**Rule 7(e) List:**

**March 9, 2026**

**Appeal Perfected:** **April 17, 2026**

**Respondent's Brief:** **June 1, 2026, or within 45 days of the date the appeal is perfected.**

**Reply Brief:** **June 22, 2026, or within 20 days of the date of the respondent's brief.**

Once the deadline for filing a reply brief has passed, the appeal will be mature for consideration by the Court pursuant to Rules of Appellate Procedure 5(h). Counsel of record will be notified in writing of any decision in the case.

A True Copy

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

