

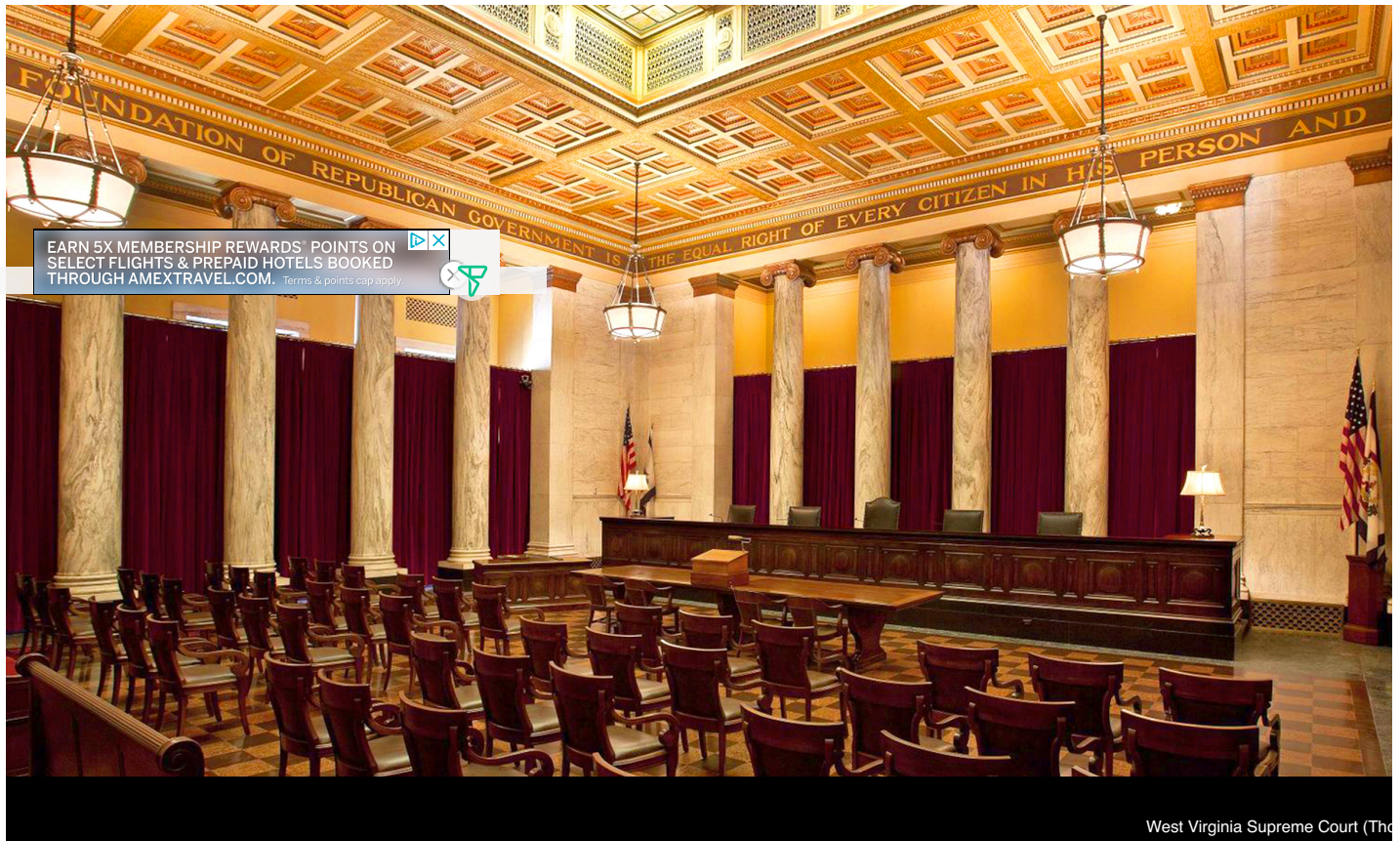


NEWS

Supreme Court reviews latest filings in football playoffs controversy; Fayette County judge appointed to hear case

By **Jeff Jenkins**

November 18, 2024 - 2:50 pm



West Virginia Supreme Court (The

CHARLESTON, W.Va. — The state Supreme Court has appointed a Fayette County circuit judge to join it in considering the court cases currently posing the high school football playoffs.

Chief Justice Tim Armstead appointed Fayette County Circuit Judge Thomas Ewing Monday.



Ewing replaces Justice Bill Wooten who recused himself Friday. Wooten's family law firm used to represent the SSAC in court cases.

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The West Virginia Secondary School Activities Commission postponed the first round of the playoffs last week after two competing injunctions from judges in Wood and Mason counties linked to the final rankings and playoff pairings. The SSAC appealed the decisions to the Supreme Court late last week. The Court gave the Mason and Wood county school districts until Monday at noon to file responses to the SSAC's appeal.

The responses were submitted first thing Monday morning.

SSAC Executive Director David Price said Monday he was hopeful for a quick decision.

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"We'd love for it to be today, it could be tomorrow, Wednesday or whatever," Price said on WJLS-AM Monday. "We fully intend to play football Friday or Saturday."





David Price

Price said Thursday would be the deadline to inform teams who they are playing if there are going to be games this week. He said they would allow play on Sunday.

"Whatever the ruling is, it will take a few minutes to see what all has to be changed, if anything, getting on the phones with the teams," he said. "If not ready to go."

The SSAC said the Mason County injunction, which called for two play-in games, should be thrown out because Mason County had no jurisdiction over schools from other counties.

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According to the Mason County response filed Monday:

“Although the Petitioner herein alleges that the Circuit Court of Mason County, West Virginia, has no jurisdiction over teams not within Mason County (Petition, p. 14), this argument is without merit as the Circuit Court of Mason County has jurisdiction over the WVSSAC (and Petitioner does not even otherwise), and, therefore, has jurisdiction to order the WVSSAC to facilitate the subject play-in games,” the filing said.

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The Wood County response said the SSAC failed to follow its own rules when it agreed to change the classifications of nearly two dozen schools in

“Petitioner exceeded its constitutional and statutory authority or otherwise acted in an arbitrary and capricious manner by failing to follow its own rules by not having a proper review procedure relating to the classification of schools with whom it plays games,” the response said.

Spring Mills decision

The SSAC will not appeal a ruling made last week by a Berkeley County circuit judge that restored four wins to the Spring Mills High School football team using an illegal player.

The judge ruled the player was protected under a federal act for homeless students (McKinney-Vento).

Price said Monday the SSAC will not appeal, the wins have been restored.

"This young man did qualify under McKinney-Vento," Price said.



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