/s/ Darl W. Poling
Circuit Court Judge
Ref. Code: 26EUZ8RFX

E-FILED | 9/3/2026 10:50 AM
CC-41-2025-C-328
Raleigh County Circuit Clerk
Angelia Price

In the Circuit Court of Raleigh County, West Virginia

Christopher A. Jackson,
Plaintiff,

v.

Case No. CC-41-2025-C-328
Judge Darl Poling

Alan D. Abrams,
Defendant

ORDER GRANTING IN PART
PLAINTIFF'S MOTION TO TAKE JUDICIAL NOTICE BUT
DENYING PLAINTIFF'S REQUEST FOR SPECIFIC APPLICATION OF SAID NOTICE

Pending before the Court is *Plaintiff's Expedited Motion for the Court to Take Judicial Notice of the Supreme Court of Appeals' May 29, 2026, Opinion in Hopkins v. Sutphin* which was filed on July 31, 2026. The Defendant has not filed a Response to this motion, and the Plaintiff has not requested a hearing on the Motion. The Court having reviewed the Motion has determined that no Response is required based upon the nature of the Motion and the Court has elected to proceed without a hearing on the Motion.

The Plaintiff's current Motion asks this Court to take judicial notice of the ruling issued on May 29, 2026, by the Supreme Court of Appeals of West Virginia in a case that is unrelated to the issue raised in this case. Although this Court is aware of the decision referenced by the Plaintiff, the Court fails to see the relevance to the current proceedings. The Plaintiff argues in paragraph 2 of his Motion that "[T]HE DECISION IS DIRECTLY RELEVANT TO THIS COURT'S TREATMENT OF OVERLAPPING PROCEEDINGS AND ACTORS." The Plaintiff continues to argue that because the Supreme Court case involved the Defendant and members of his family, the same family members the Plaintiff has referenced in many pleadings, that this Court should adopt the principle applied in the Supreme Court case.

This Court disagrees with the Plaintiff's interpretation and attempted application of the Supreme Court ruling. First, the nature of the action filed and presented to the Supreme Court was entirely different than the position presented in this case. In the Supreme Court case, the Supreme Court was reviewing the dismissal of a claim that was included in an accepted Amended Complaint and not an attempt to add parties to a cause of action as originally filed. Furthermore, the Supreme Court case involved an allegation of conspiracy which by definition involves more than one party.

In this case, the Plaintiff filed his Complaint against a sole Defendant, based upon alleged actions of that sole Defendant. In addition to the Complaint filed in this matter, the Plaintiff initially elected to file separate Complaints, related to separate sets of facts, some of which contained additional defendants. This Court believes that the original, separate Complaints which set forth separate actions were the proper manner by which the Plaintiff could allege the unrelated claims against defendants, which may be related, but the events were not of the same cause of action(s).

To the extent that the Plaintiff's Motion seeks to have the Court recognize the Supreme Court's decision of May 29, 2026, the Court notes that this Court is always required to apply rulings of the Supreme Court of Appeals when they are applicable to any given case, motion or proceeding, and therefore this portion of the Motion is **GRANTED.**

However, to the extent that the Motion seeks to have the Court adopt the Plaintiff's interpretation of the ruling and request to find that the factual allegations in the *Sutphin* litigation are conclusively proven in this action, the Motion is **DENIED** based upon the fact that no evidence has been presented in this case since no hearings have been held. The Court anticipates that the Plaintiff will argue that he has presented vast amounts of evidence, however, at this stage, the filings of the Plaintiff are not evidence but merely pleadings and offerings of the Plaintiff.

The Plaintiff's OBJECTION to this ruling is noted.

The Clerk is directed to send a copy of this Order to the pro se Plaintiff by United States Postal Service to his last known address and to all counsel of record via the e-filing system.

ORDER:

Entered this 3rd day of September 2026.

/s/ Darl W. Poling
Circuit Court Judge
14th Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.