



**STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION**  
215 PROFESSIONAL BUILDING  
1036 QUARRIER STREET  
CHARLESTON, WEST VIRGINIA 25301  
TELEPHONE: 304-348-2616

ARCH A. MOORE, JR.  
Governor

August 29, 1985

Executive Director  
Beckley Veterinary Hospital, Inc.  
305 Dry Hill  
Beckley, WV 25801

Re: Penny Harrison King v. Beckley Veterinary Hospital,  
Inc./ES-359-77

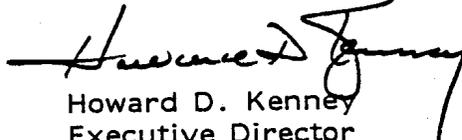
Dear Executive Director and Honorable Thornhill:

Enclosed please find a copy of the Hearing Examiner's Findings of Fact and Conclusions of Law in the above-styled and numbered case.

Pursuant to §7.22(c) of the Rules and Regulations of the WV Human Rights Commission, all parties shall be given fifteen (15) days within which to file exceptions to the Findings of Fact and Conclusions of Law and present argument to the Commission in written form only.

If I may be of any further assistance, please do not hesitate to contact me.

Sincerely yours,

  
Howard D. Kenney  
Executive Director

HDK/kpv  
Enclosure

CC: W. A. Thornhill, III, Esq.  
Thornhill, Kennedy & Vaughan  
Raleigh County National Bank Bldg.  
P. O. Drawer 1008  
Beckley, WV 25801

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

Penny (Harrison) King  
Complainant,

Docket No.: ES-359-77

1c.

ORDER

*Order was  
hearing ex-  
aminer*

Just, 1985, the Commission reviewed Hearing  
ings of Fact and Conclusions of Law. After  
consideration of the aforementioned, the Commission does hereby adopt  
the Findings of Fact and Conclusions of Law as its own.

It is hereby ORDERED that the Hearing Examiner's Findings of  
Fact and Conclusions of Law be attached hereto and made a part of this  
Order.

By this Order, a copy of which to be sent by certified mail, the  
parties are hereby notified that THEY HAVE TEN DAYS TO REQUEST A  
RECONSIDERATION OF THIS ORDER AND THAT THEY HAVE THE  
RIGHT TO JUDICIAL REVIEW.

Entered this 14<sup>th</sup> day of August, 1985.

RESPECTFULLY SUBMITTED,



CHAIRMAN/VICE CHAIRMAN  
WEST VIRGINIA HUMAN  
RIGHT COMMISSION

RECEIVED

JUL 24 1985

W.V. HUMAN RIGHTS COMM.

~~WEST VIRGINIA HUMAN RIGHTS COMMISSION~~  
BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

PENNY (HARRISON) KING

Complainant,

vs.

DOCKET NO. ES-359-77

BECKLEY VETERINARY HOSPITAL, INC.,

Respondent.

ORDER

On this the 19th day of July, 1985, came the Complainant, by her counsel, John Richardson and the Respondent by its counsel, Warren Thornhill for the purpose of a public hearing in this matter.

At which time, the counsel for Complainant moved the Examiner for a continuance due to the Complainant's decision that the cost for her to perfect an appearance at the public hearing on this date is prohibitive and further that the Complainant wishes to perfect any further prosecution of this action in her absence and with her evidentiary deposition; to all of which the Respondent objected.

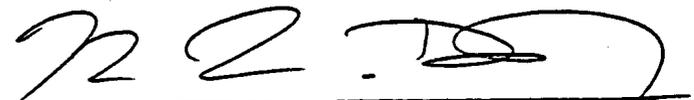
The Examiner having heard argument from both counsel does hereby determine that the Complainant is unable to financially perfect the prosecution of this matter. The Examiner further finds that the West Virginia Human Rights Commission has made a determination that the case does not warrant the Commission incurring the expense required to send a staff attorney to Midland, Texas or to perfect the appearance of a local attorney in Midland, Texas to perfect the evidentiary deposition of the Complainant. The Examiner finds further that it is impractical to perfect the due process rights of all the

parties to allow the Complainant to prosecute this matter in her absence.

WHEREFORE, the Examiner does hereby recommend to the Commission that this matter be stricken from the docket with prejudice as a result of the Complainant's failure to prosecute the same.

DATED July 22, 1985

ENTER:

  
THEODORE R. DUES, JR.  
Hearing Examiner