



**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

February 14, 1986

H. John Taylor, Esquire  
5823 Midland Drive  
Rand, WV 25306

Triad Distributors  
c/o Jamon Corporation  
2106 Kanawha Boulevard, East  
Charleston, WV 25311

COPY

RE: Jones v Triad Distributors, ER-230-82

Dear Mr. Taylor and Executive Officer of Triad Distributors:

Herewith please find the Order of the WV Human Rights Commission in the above-styled and numbered case of James L. Jones v Triad Distributors, ER-230-82.

Pursuant to Article 5, Section 4 of the WV Administrative Procedures Act [WV Code, Chapter 29A, Article 5, Section 4] any party adversely affected by this final Order may file a petition for judicial review in either the Circuit Court of Kanawha County, WV, or the Circuit Court of the County wherein the petitioner resides or does business, or with the judge of either in vacation, within thirty (30) days of receipt of this Order. If no appeal is filed by any party within (30) days, the Order is deemed final.

Sincerely yours,

*Howard D. Kenney*  
Howard D. Kenney  
Executive Director

HDK/kpv/jcp  
Enclosure

CERTIFIED MAIL/REGISTERED RECEIPT REQUESTED.

**RECEIVED**

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION 16 1986

W.V. HUMAN RIGHTS COMM.

JAMES L. JONES,  
Complainant,

vs.

Docket No. ER-230-82

TRIAD DISTRIBUTORS,  
Respondent.

**ORDER**

On the 8th day of January, 1986, the Commission reviewed the Findings of Fact and Conclusions of Law of Hearing Examiner, Anne B. Charnock. 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 shall be sent by certified mail to the parties, 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 4 day of Feb., 1986.

Respectfully Submitted

  
\_\_\_\_\_  
CHAIR/VICE-CHAIR

West Virginia Human  
Rights Commission

BEFORE THE WEST VIRGINIA  
HUMAN RIGHTS COMMISSION

JAMES L. JONES,

Complainant

Vs.

CASE NO. ER-230-82

TRIAD DISTRIBUTORS,

Respondent.

FINDING OF FACTS AND  
CONCLUSION OF LAW AND RECOMMENDATIONS

*2/27/85*  
*1/22/85*  
*MS*  
**RECEIVED**

NOV 27 1985

W.V. HUMAN RIGHTS COMM.  
*[Signature]*

Pursuant to notice issued to Respondent, this matter came on for a public hearing on the 22nd day of March, 1985, beginning at 9:00 A.M. in Conference Room E, Building 8, State Capitol Complex, Charleston, West Virginia. Mr. Russell Van Cleve, Commissioner and Ms. Anne B. Charnock, Hearing Examiner, presided.

The complainant did not appear in person but was represented by his Counsel, H. John Taylor. Respondent made no appearance; neither in person nor by counsel.

At this point Counsel for Complainant moved that this Complaint be dismissed. The basis of this motion is Respondent corporation was dissolved by an order entered by the Honorable A. Andrew MacQueen in the Spring of 1984 for non-payment of franchise taxes. No successor corporation was formed. As a result respondent is a non-entity from which the relief sought cannot be granted. For these reasons Complainant seeks a dismissal.

II

It is the recommendation of this Hearing Examiner that  
Complainant's motion be granted for the reasons stated herein.

Respectfully submitted this 17<sup>th</sup> day of April,

1985.



ANNE B. CHARNOCK  
Hearing Examiner

BEFORE THE WEST VIRGINIA  
HUMAN RIGHTS COMMISSION

*Approved*  
*11/22/85*  
*ARJ*

JAMES L. JONES,

Complainant

Vs.

CASE NO. ER-230-82

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TRIAD DISTRIBUTORS,

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W.V. HUMAN RIGHTS COMM.

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ANNE B. CHARNOCK  
Hearing Examiner