



**From:** [Green, Shannon](#)  
**To:** [Singletary, Jennifer](#)  
**Subject:** RE: Senior Status Magistrate Howard Carpenter  
**Date:** Tuesday, October 8, 2013 2:35:00 PM

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No problem – Feel free to ask questions anytime.

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**From:** Singletary, Jennifer  
**Sent:** Tuesday, October 08, 2013 2:02 PM  
**To:** Green, Shannon  
**Subject:** RE: Senior Status Magistrate Howard Carpenter

Got it! Thank you. Sue had shown me a copy of an Administrative Order, but now that I read it, it's where magistrates were recused and the Chief Judge of the Circuit had asked that a magistrate from outside the circuit be assigned.

Sorry! I'll eventually get all this straight. I might have to ask more than once!

Jen

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**From:** Green, Shannon  
**Sent:** Tuesday, October 08, 2013 1:56 PM  
**To:** Singletary, Jennifer  
**Subject:** RE: Senior Status Magistrate Howard Carpenter

There is no Adm. Order for the contract. The order assigning him to assist has already been entered if that is what you are speaking of. I know that when Kathleen prepared a contract for Judge Henning, once the contract was signed by the Chief Justice, she sent the contract along with a letter to the Judge. Please see the attached letter w/attachment.

**From:** Singletary, Jennifer  
**Sent:** Tuesday, October 08, 2013 1:49 PM  
**To:** Green, Shannon  
**Cc:** Troy, Sue; Preece, Nikki; Workman, Chris  
**Subject:** RE: Senior Status Magistrate Howard Carpenter

The agreement is on its way to Mr. Carpenter for his signature and returning to me for getting the Chief Justice's signature. (is that right? I'll do it differently next time if not.) Do I prepare the Administrative Order for the Chief Justice's signature as well?

Thank you!

Jen

**From:** Green, Shannon  
**Sent:** Monday, October 07, 2013 10:52 AM  
**To:** Singletary, Jennifer  
**Cc:** Troy, Sue; Preece, Nikki; Workman, Chris  
**Subject:** Senior Status Magistrate Howard Carpenter

Jennifer,

Senior Status Magistrate Howard Carpenter was assigned to assist in the Ohio County Magistrate Court beginning August 7, 2013, to cover for Magistrate Charles Murphy. According to Howard, he met his maximum per diem amount allowed for retirement on September 22. He has continued to assist in Ohio County because he thought he had more time. The Chief Justice has approved for Howard to be paid as an Independent Contractor because his assistance is needed in Ohio County, possibly until the end of the year.

Since Kathleen took care of the Independent Contractor Agreements, I just wanted to pass this information on to you so that you can send him an agreement to sign. Howard needs the contract to be dated to begin on September 23 and continue through December 31. Beginning January 1, he will go back to using his per diem.

Howard's address is [REDACTED]. His home telephone number is 304-[REDACTED]. He returned to Wheeling today and I believe he will be there through the 18<sup>th</sup>, so it may be better to contact him at Magistrate Murphy's office (304-234-3774).

I appreciate you taking care of this.

Shannon Green  
Recusal Administrative Assistant  
Supreme Court of Appeals of West Virginia  
State Capitol Complex  
Bldg. 1, Rm. E-400  
Charleston, WV 25305  
(304) 558-5676 – office  
(304) 558-6045 - fax

SUPREME COURT OF APPEALS  
STATE OF WEST VIRGINIA

STEVEN D. CANTERBURY  
ADMINISTRATIVE DIRECTOR



ADMINISTRATIVE OFFICE  
BUILDING 1, ROOM E-100  
1900 KANAWHA BOULEVARD, E.  
CHARLESTON, WV 25305-0832  
(VOICE) 304/558-0145  
(TTY) 304/558-4219  
(FAX) 304/558-1212  
[www.state.wv.us/wvsca/](http://www.state.wv.us/wvsca/)

25 April 2013

Honorable John L. Henning

[REDACTED]  
Dear Judge Henning:

Enclosed is a copy of the Independent Contractor Agreement. I have given the original to Sue Tory, the Director of Financial Services.

Your "retirement" allowed per diem may run out on May 7<sup>th</sup>, depending on your work days. Thereafter, please submit an invoice for your \$435 per diem for your service after May 7, 2013 directly to Sue Tory. The invoice can be simply your name, home address, date of service (list each date of service separately), per diem amount and total. The total may help you to tract payments. Ms. Troy will be handling all contract payments. As an independent contractor, you may have to pay income tax directly to both the State and federal governments.

Please continue to submit your expenses of the Senior Status Allowance form to me. The expenses will continue to be processed in the same way.

I have not heard about any appointments by the Governor.

Thank you so much for continuing to serve. The Court appreciates your dedication and willingness to make sure that Justice is not delayed in the 26<sup>th</sup> Circuit.

Please let me know if you have any questions.

I am looking forward seeing at the Spring Judicial Conference.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathleen S. Gross".

Kathleen S. Gross  
Deputy Administrative Director

KSG/mg  
Enclosure

cc: Sue Troy  
Shannon Green

State of West Virginia  
Purchasing Division

# AGREEMENT

Purchase Order # \_\_\_\_\_ WVFIMS Account # \_\_\_\_\_

TEAM Vendor # \_\_\_\_\_ WVFIMS Vendor # \_\_\_\_\_

I, John Henning, [Redacted], agree to perform the following services  
for W. Va Supreme Ct at as appointed  
as of May 8, 2013  
(Name and address) (Location) (Deleted description of services to be performed)

Date(s) of Service: from May 8, 2013 to 31 December 2013  
The rate of pay shall be \$ 435.00 per day not to exceed  
\$ to be determined for the entire term of the contract.

**NOTE:** Any anticipated travel must be incorporated into the vendor's fee. No travel will be reimbursed by the State and is the sole responsibility of the vendor. The following certification must be completed and signed if the vendor is a full-time employee of the State of West Virginia.

Please check the appropriate box below:  
 I am not currently a full-time employee of the State of West Virginia;  
 I am currently a full-time employee of the State of West Virginia (complete certification below).

It is hereby certified that the services to be performed under this agreement will not interfere with or detract from the full-time duties of the employee and the amount of annual compensation received by \_\_\_\_\_ (above named vendor) from the State of West Virginia for full-time employment during the current fiscal year will be \$ \_\_\_\_\_. The vendor serves as Senior Status Judge with the title of Senior Status Judge, certified by \_\_\_\_\_  
(Position) (Supervisor's Signature)

**GENERAL TERMS AND CONDITIONS:** The General Terms and Conditions for Agency Delegated Master Terms and Conditions located on the Purchasing Division's website at <http://www.state.wv.us/admin/purchase/TCA.pdf>, ("Terms and Conditions") are hereby made a part of this agreement and are specifically incorporated herein by reference. By signing this agreement, Vendor certifies that it has reviewed the Terms and Conditions, fully understands them, and agrees to be bound by their provisions.

**APPROVED BY:**  
Agency \_\_\_\_\_  
Brent Berlin  
(Authorized Signature of Agency)  
Chief Justice  
(Title)  
04/24/2013  
(Date)

Vendor \_\_\_\_\_  
John Henning  
(Vendor Signature)  
[Redacted]  
(Social Security or FEIN)  
April 20, 2013  
(Date)



**From:** Singletery, Jennifer  
**To:** Green, Shannon  
**Subject:** RE: Senior Status Magistrate Howard Carpenter  
**Date:** Tuesday, October 8, 2013 2:01:39 PM

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Got it! Thank you. Sue had shown me a copy of an Administrative Order, but now that I read it, it's where magistrates were recused and the Chief Judge of the Circuit had asked that a magistrate from outside the circuit be assigned.

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I appreciate you taking care of this.

Shannon Green  
Recusal Administrative Assistant  
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Charleston, WV 25305  
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## Green, Shannon

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**From:** Singletary, Jennifer  
**Sent:** Tuesday, January 07, 2014 9:23 AM  
**To:** Green, Shannon  
**Subject:** RE: Howard Carpenter

I'll look into this when I'm able to make it into the office. If he submitted the signed contract, just sending him a copy of the existing one shouldn't affect anything / his pay. Did she say something independently of this e-mail that says they need a new contract? The way I read her e-mail, unless there's more that I can't see, it looks like she just needs the blank invoice to fill out, and that while he'll just be submitting invoices late, they're still covered under the original agreement.

Jen

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**From:** Green, Shannon  
**Sent:** Tuesday, January 07, 2014 9:19 AM  
**To:** Singletary, Jennifer  
**Subject:** FW: Howard Carpenter

Senior Status Magistrate Howard Carpenter has been working in Ohio County since August 7. In October, I had asked that you send to him the independent contract agreement because he had reached his income limitation on Sept. 22. Please see Howard's wife's email below. She has lost the contract and needs another. My question is can Howard submit that agreement now since he will be paid in this year? If so, will you please send the contract agreement again.

Thank you!

Shannon

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**From:** Carpenter, Cynthia  
**Sent:** Monday, January 06, 2014 12:12 PM  
**To:** Green, Shannon  
**Subject:** Howard Carpenter

Hi, Shannon,

I need to do Howard's invoices for the months he worked under independent contractor. I had one saved on my email but can't seem to find it. Could you email me a copy of that invoice I need to fill out for him and who to send it to?

I would GREATLY appreciate it!

Cyndy



State of West Virginia  
Purchasing Division

**COPY**

**AGREEMENT**

Purchase Order # \_\_\_\_\_ WVFIMS Account # \_\_\_\_\_

TEAM Vendor # \_\_\_\_\_ WVFIMS Vendor # \_\_\_\_\_

I, Howard Carpenter, [REDACTED], agree to perform the following services

for WV Supreme Court of Appeals at Charleston, WV

Senior Status Magistrate Howard Carpenter is directed to preside as a temporary magistrate in proceedings in the

Ohio County Magistrate Court system pursuant to an Administrative Order entered by the Chief Justice of the Supreme

Court of Appeals of West Virginia. He is further directed to preside in any proceedings as assigned following this agreement

Date(s) of Service: from September 23, 2013 to December 31, 2013

The rate of pay shall be \$200.00 per day not to exceed

\$ N/A for the entire term of the contract.

**NOTE:** Any anticipated travel must be incorporated into the vendor's fee. No travel will be reimbursed by the State and is the sole responsibility of the vendor. The following certification must be completed and signed if the vendor is a full-time employee of the State of West Virginia.

Please check the appropriate box below:

- I am not currently a full-time employee of the State of West Virginia;
- I am currently a full-time employee of the State of West Virginia (complete certification below).

It is hereby certified that the services to be performed under this agreement will not interfere with or detract from the full-time duties of the employee and the amount of annual compensation received by \_\_\_\_\_ (above named vendor) from the State of West Virginia for full-time employment during the current fiscal year will be \$ \_\_\_\_\_. The vendor serves as \_\_\_\_\_ with the title of \_\_\_\_\_, certified by \_\_\_\_\_

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**APPROVED BY:**

Agency WV Supreme Court of Appeals

\_\_\_\_\_  
(Authorized Signature of Agency)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

Vendor Mr. Howard Carpenter

Howard Carpenter

[REDACTED]

October 18, 2013

\_\_\_\_\_  
(Date)