

**BEFORE THE WEST VIRGINIA ETHICS COMMISSION**

**In Re:**

**MICHELLE MALONE,**

**Complaint No. VCRB 2017-05**

**Manager,  
River Road Public Service District,**

**Respondent.**

**PROBABLE CAUSE ORDER**

The Probable Cause Review Board, having investigated and considered the allegations set forth in VCRB 2017-05, unanimously finds there is probable cause to believe that Respondent Michelle Malone violated the provisions of the Ethics Act as follows:

**Count One:** During the period from January 17, 2015, through present, Respondent Malone knowingly and intentionally used her public employment position for the private gain of her daughter, Kady Malone, an employee of the River Road Public Service District ("PSD"), in violation of W. Va. Code §§ 6B-2-5(b) and 6B-2-5(b)(4), and W. Va. Code R. § 158-6-3, by influencing or attempting to influence her daughter's working conditions, benefits and compensation; participating in decisions affecting her daughter's employment, working conditions, benefits and compensation, and supervising her.

**Count Two:** During the period from January 17, 2015, through present, Respondent Malone knowingly and intentionally used her public employment position for the private gain of her husband, Charles Malone, an employee of the River Road Public

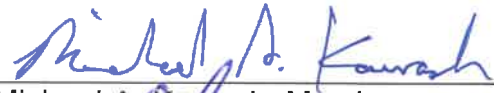
Service District, in violation of W. Va. Code §§ 6B-2-5(b) and 6B-2-5(b)(4), and W. Va. Code R. § 158-6-3, by influencing or attempting to influence his working conditions, benefits and compensation, participating in decisions affecting his employment, working conditions, benefits and compensation and supervising him.

In accordance with W. Va. Code § 6B-2-4(f), the Commission staff is hereby ORDERED to prepare a Statement of Charges and to schedule this matter for a public hearing to determine the truth or falsity of these charges.

ENTERED: March 29, 2018



James E. Shepherd, II, Chairperson  
Probable Cause Review Board



Michael A. Kawash, Member  
Probable Cause Review Board



Daniel J. Guida, Member  
Probable Cause Review Board

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**WEST VIRGINIA ETHICS COMMISSION,  
Complainant,**

**v.**

**VCRB 2017-05**

**MICHELLE MALONE,**

**Manager,  
River Road Public Service District,  
Respondent.**

**CERTIFICATE OF SERVICE**

I, Rebecca L. Stepto, Executive Director of the West Virginia Ethics Commission, hereby certify that I mailed a true and complete copy of the foregoing **PROBABLE CAUSE ORDER** on March 29, 2018, to:

*Via U.S. Mail and Certified Mail, Return Receipt Requested:*

Michelle Malone  
150 Wiseman Road  
Morgantown, WV 26501  
**Respondent**

Christopher D. Negley, Esq.  
Shuman, McCuskey & Slicer  
P.O. Box 3953  
Charleston, WV 25339  
**Counsel for Respondent**

*Via hand delivery:*

Theresa M. Kirk, Esquire  
Staff Attorney  
West Virginia Ethics Commission  
210 Brooks Street, Suite 300  
Charleston, WV 25301  
**Counsel for Complainant**

*Rebecca Stepto /TK*

Rebecca L. Stepto, Executive Director  
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