CASE COMMENTS

Administrative Law—Judicial Review Under West Virginia
Administrative Procedure Act Not Applicable to Agency
Actions Relating Solely to Internal Management

Disciplinary action was instituted against a member of the Department of Public Safety resulting in his demotion and transfer to another post within the state. There was a full hearing and all prescribed procedures were followed. When the adversely affected member appealed to the circuit court, the State Department of Public Safety petitioned the West Virginia Supreme Court of Appeals for a writ of prohibition to prohibit the circuit court from proceeding. Held, writ granted. The West Virginia Administrative Procedure Act¹ does not apply to actions taken by