

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 1 of 12

424	HERNDON (HUGH), ET AL. VS. WILSON (JAMES), ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING TAYLOR (PRESIDING JUDGE) J. LAMBERT (CONCURS) AND MAZE (CONCURS)	2014-CA-001381-MR TO BE PUBLISHED	GRANT
425	KNUCKLES (LARRY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MAZE (PRESIDING JUDGE) JONES (CONCURS) AND J. LAMBERT (CONCURS)	2014-CA-001670-MR NOT TO BE PUBLISHED	LESLIE
426	RICHMOND HEALTH FACILITIES- MADISON, LP, ET AL. VS. CURRY (MAURICE) OPINION REVERSING IN PART AND REMANDING JOHNSON (PRESIDING JUDGE) ACREE (CONCURS) AND KRAMER (CONCURS)	2015-CA-000158-MR NOT TO BE PUBLISHED	MADISON
427	CLAXON (JAMES D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING ACREE (PRESIDING JUDGE) TAYLOR (CONCURS) AND STUMBO (DISSENTS AND FILES SEPARATE OPINION)	2015-CA-000270-MR NOT TO BE PUBLISHED	CARTER
428	STELLY (KARL DEXTER) VS. STELLY (LOUISE JOY) OPINION AFFIRMING NICKELL (PRESIDING JUDGE) J. LAMBERT (CONCURS) AND STUMBO (CONCURS)	2015-CA-000419-MR NOT TO BE PUBLISHED	JEFFERSON
429	CHEN (JAMES M.) VS. LOWE (ERIC) OPINION AND ORDER DISMISSING JONES (PRESIDING JUDGE) COMBS (CONCURS) KRAMER (CONCURS)	2015-CA-001065-MR TO BE PUBLISHED	FRANKLIN

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 2 of 12

430	HIGGINS (EDWARD), JR. VS. WILLIAMS (RODNEY), ET AL. OPINION VACATING AND REMANDING JONES (PRESIDING JUDGE) MAZE (CONCURS) NICKELL (CONCURS)	2015-CA-001088-MR NOT TO BE PUBLISHED	KNOTT
431	BROWN (MARK E.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING JONES (PRESIDING JUDGE) ACREE (CONCURS) KRAMER (CONCURS)	2015-CA-001246-MR NOT TO BE PUBLISHED	FAYETTE
432	ROMANS (WAYNE) VS. KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) JONES (CONCURS) D. LAMBERT (CONCURS)	2015-CA-001253-MR NOT TO BE PUBLISHED	BOYD
433	COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES VS. SAINT JOSEPH HEALTH SYSTEM, INC., ET AL. OPINION AFFIRMING COMBS (PRESIDING JUDGE) KRAMER (CONCURS) J. LAMBERT (CONCURS)	2015-CA-001356-MR TO BE PUBLISHED	FRANKLIN
434	SPEEDWAY, LLC VS. COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET OPINION AFFIRMING AND ORDER DENYING MOTION COMBS (PRESIDING JUDGE) JONES (CONCURS) AND KRAMER (CONCURS)	2015-CA-001447-MR NOT TO BE PUBLISHED	KENTON
435	DIXON (SUSAN J.) VS. THE KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL. OPINION REVERSING AND REMANDING THOMPSON (PRESIDING JUDGE) JONES (CONCURS) AND STUMBO (CONCURS)	2015-CA-001473-MR NOT TO BE PUBLISHED	WARREN

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 3 of 12

436	KRIEG (JEFFREY MILBURN) VS. PFEISTER (ROBERT MICHAEL) OPINION AFFIRMING MAZE (PRESIDING JUDGE) TAYLOR (CONCURS) AND THOMPSON (CONCURS)	2015-CA-001683-MR NOT TO BE PUBLISHED	JEFFERSON
437	SHELLEY (DANNY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) ACREE (CONCURS) AND STUMBO (CONCURS)	2015-CA-001800-MR NOT TO BE PUBLISHED	PULASKI
438	FUGATE (MICHAEL TERRANCE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) JONES (CONCURS) AND D. LAMBERT (CONCURS)	2015-CA-001804-MR NOT TO BE PUBLISHED	LETCHER
439	WILLIAMSON (GLENN), ET AL. VS. SAUNIER (MARK), ET AL. OPINION REVERSING D. LAMBERT (PRESIDING JUDGE) TAYLOR (CONCURS) AND KRAMER (DISSENTS AND FILES SEPARATE OPINION)	2015-CA-001993-MR NOT TO BE PUBLISHED	FAYETTE
440	CRABTREE (SAMUEL A.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING D. LAMBERT (PRESIDING JUDGE) KRAMER (CONCURS) AND TAYLOR (CONCURS)	2016-CA-000082-MR NOT TO BE PUBLISHED	MADISON
441	K. (C.) VS. CABINET FOR HEALTH AND FAMILY SERIVCES, COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING MAZE (PRESIDING JUDGE) J. LAMBERT (CONCURS) AND THOMPSON (CONCURS)	2016-CA-000139-ME TO BE PUBLISHED	MASON

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 4 of 12

442	ERWIN (DAVID ARTHUR) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) COMBS (CONCURS) AND D. LAMBERT (CONCURS)	2016-CA-000203-MR NOT TO BE PUBLISHED	FAYETTE
443	CHEESE (DAVID R.), ET AL. VS. DEXTER (STEPHEN A.), ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING MAZE (PRESIDING JUDGE) COMBS (CONCURS) AND STUMBO (CONCURS)	2016-CA-000249-MR NOT TO BE PUBLISHED	BOYLE
444	R. (H. M.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, COMMONWEALTH OF KENTUCKY, ET AL. OPINION REVERSING JONES (PRESIDING JUDGE) JOHNSON (CONCURS) AND THOMPSON (CONCURS IN RESULT ONLY)	2016-CA-000427-ME TO BE PUBLISHED	FAYETTE
445	HARRIS (CARLOS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING J. LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND TAYLOR (CONCURS)	2016-CA-000443-MR NOT TO BE PUBLISHED	KENTON
446	REDD (DONALD W.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MAZE (PRESIDING JUDGE) STUMBO (CONCURS) AND COMBS (CONCURS IN RESULT AND FILES SEPARATE OPINION)	2016-CA-000473-MR NOT TO BE PUBLISHED	CAMPBELL
447	S. (E.) VS. V. (M. S.), ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) COMBS (CONCURS) AND D. LAMBERT (CONCURS)	2016-CA-000475-ME NOT TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 5 of 12

448	VAZQUEZ (RENE) VS. NAJERA (ANNA) OPINION AFFIRMING D. LAMBERT (PRESIDING JUDGE) ACREE (CONCURS) AND COMBS (CONCURS)	2016-CA-000640-ME NOT TO BE PUBLISHED	BOONE
449	ASHFORD (DEMONTRAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING J. LAMBERT (PRESIDING JUDGE) JONES (CONCURS) AND MAZE (CONCURS)	2016-CA-000672-MR NOT TO BE PUBLISHED	JEFFERSON
450	R. (F.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, COMMOMWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) ACREE (CONCURS) AND D. LAMBERT (CONCURS)	2016-CA-000728-ME 2016-CA-000729-ME 2016-CA-000730-ME NOT TO BE PUBLISHED	CARROLL
451	S. (P.) VS. COMMONWEALTH OF KENTUCKY, CABINET OF HEALTH AND FAMILY SERVICES OPINION AFFIRMING MAZE (PRESIDING JUDGE) TAYLOR (CONCURS) AND THOMPSON (CONCURS)	2016-CA-000918-ME NOT TO BE PUBLISHED	CRITTENDEN
452	SPIVEY (ARLIN BRADLEY) VS. SPIVEY (TOSHA LAVOUGHN) OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING D. LAMBERT (PRESIDING JUDGE) ACREE (CONCURS) AND COMBS (CONCURS)	2016-CA-001045-ME NOT TO BE PUBLISHED	PERRY

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 6 of 12

453	B. (R.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING D. LAMBERT (PRESIDING JUDGE) ACREE (CONCURS) AND COMBS (CONCURS)	2016-CA-001156-ME NOT TO BE PUBLISHED	JESSAMINE
454	GOFFINET (BRIAN M.) VS. BESHEAR (ERIN L.) OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING MAZE (PRESIDING JUDGE) KRAMER (CONCURS) AND STUMBO (CONCURS)	2016-CA-001236-ME NOT TO BE PUBLISHED	CALDWELL
455	MCGILL (JIMMY HOWARD), JR. VS. SMITH (LAURA FAY) OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING MAZE (PRESIDING JUDGE) KRAMER (CONCURS) AND STUMBO (CONCURS)	2016-CA-001255-ME NOT TO BE PUBLISHED	JEFFERSON
456	MIDDLETOWN HEATING AND AIR VS. KLIMKO (MICHAEL K.), ET AL. OPINION AFFIRMING AND REMANDING MAZE (PRESIDING JUDGE) COMBS (CONCURS) AND STUMBO (CONCURS)	2016-CA-001414-WC NOT TO BE PUBLISHED	WORKERS' COMP

ORDERS FOR THE WEEK ENDING 05/12/2017:**ORDERS DISMISSING:**

JAMES B. WEDDLE

2016-CA-000635-MR

FAYETTE

VS.

PENNYMAC LOAN SERVICES, LLC, ET AL.

ENTERED: 05/12/2017

CHARLES STOWERS

2016-CA-001085-MR

WARREN

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 05/11/2017

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 7 of 12

HYDRO-PRO, INC. VS. GUS GOLDSMITH ENTERED: 05/12/2017	2016-CA-001244-MR	JEFFERSON
JOE D. TAYLOR VS. EDWARD NEUTZ, ET AL. ENTERED: 05/12/2017	2016-CA-001526-MR	JEFFERSON
BEIQING YAO VS. DITECH FINANCIAL, LLC ENTERED: 05/12/2017	2016-CA-001603-MR	FAYETTE
JEFFREY A. SEXTON, ET AL. VS. U.S. BANK NATIONAL ASSOCIATION, ET AL. ENTERED: 05/12/2017	2016-CA-001853-MR	JEFFERSON
OSCAR LEE DAVIS VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/2017	2017-CA-000125-MR	JEFFERSON
STEVEN TRAMBER VS. HON. PHILLIP SHEPHERD, JUDGE, ET AL. ENTERED: 05/12/2017	2017-CA-000167-OA	FRANKLIN
TERELL DARON JORDAN VS. THE UNITED STATE OF AMERICA ENTERED: 05/12/2017	2017-C-A000225-MR	JEFFERSON
MATTHEW DENDEKKER VS. JEANETTE DENDEKKER ENTERED: 05/12/2017	2017-CA-000267-MR	JEFFERSON
WILLIAM D. CLARK, ET AL. VS. JOINT CITY COUNTY PLANNING COMMISSION ENTERED: 05/12/2017	2017-CA-000322-MR	NELSON

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 8 of 12

ROY DALE RICHARDSON 2017-CA-000439-MR FRANKLIN
VS.

DEPARTMENT OF CORRECTIONS

ENTERED: 05/11/2017

STANTON HEALTH FACILITIES, 2017-CA-000563-OA POWELL
L.P., ET AL.
VS.

HON. FRANK A FLETCHER, JUDGE, ET AL.

ENTERED: 05/12/2017

ORDER DENYING PETITION FOR REHEARING:

KENTUCKY RETIREMENT SYSTEMS 2016-CA-000550-MR FRANKLIN
VS.

VERONICA BRADLEY

ENTERED: 05/11/2017

ORDER AFFIRMING:

R.M., A JUVENILE 2017-CA-000091-MR BREATHITT
VS.

GARY DRAKE, SUPERINTENDENT, ET AL.

ENTERED: 05/12/2017

ORDERS DENYING MOTION FOR INTERLOCUTORY RELIEF:

JO ANN KISER, ET AL. 2017-CA-000310-I CARTER
VS.

GORDON KISER, JR.

ENTERED: 05/12/2017

GEETA CHAVDA, M.D., ET AL. 2017-CA-000362-I CHRISTIAN
VS.

KUMARASOORIYAR KUMARAVELU, M.D., ET AL.

ENTERED: 05/12/2017

ORDER DENYING MOTION FOR DISCRETIONARY REVIEW:

CONNIE MARSHALL 2016-CA-001015-DR JEFFERSON
VS.

MALONE STAFFING

ENTERED: 05/12/2017

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 9 of 12

ORDERS DENYING PETITION FOR WRIT OF MANDAMUS AND PROHIBITION:

RICK ROE 2017-CA-000315-OA FAYETTE
VS.
HON. THOMAS L. CLARK, JUDGE, ET AL.
ENTERED: 05/12/2017

JEFFREY O. KATZ 2017-CA-000316-OA FAYETTE
VS.
HON. PAMELA R. GOODWINE, JUDGE, ET AL.
ENTERED: 05/12/2017

ZACHARY GROSS 2017-CA-000465-OA BOONE
VS.
HON. RICHARD BRUEGGEMAN, JUDGE, ET AL.
ENTERED: 05/12/2017

**ORDER DENYING IN PART, AND GRANTING IN PART WITH DIRECTIONS,
PETITION FOR WRIT OF MANDAMUS:**

ROBBIN KELLY NELSON 2017-CA-000528-OA WARREN
VS.
HON. CATHERINE RICE HOLDERFIELD, JUDGE, ET AL.
ENTERED: 05/12/2017

ORDER DISMISSING PETITION FOR WRIT OF PROHIBITION:

4-E DRILLING, LLC, ET AL. 2017-CA-000290-OA CRITTENDEN
VS.
HON. C. RENE WILLIAMS, JUDGE, ET AL.
ENTERED: 05/12/2017

ORDERS FOR THE WEEK ENDING 05/19/2017:

ORDERS DISMISSING:

ADAM J. CRAWFORD 2016-CA-000263-MR MARSHALL
VS.
LANCE PHELPS, ET AL.
ENTERED: 05/16/2017

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 10 of 12

AARON TINELLI, OFFICER, ET AL. VS. FRANKIE SHIELDS, INDIVIDUALLY, ET AL. ENTERED: 05/17/2017	2016-CA-000630-MR	JEFFERSON
LAVERN GROSS VS. S.G. WESTRICK, ET AL. ENTERED: 05/16/2017	2016-CA-000920-MR	TRIMBLE
KIMBERLY A. PETERMAN VS. KEVIN D. PETERMAN ENTERED: 05/17/2017	2016-CA-001102-ME	GREENUP
CENTRAL BANK & TRUST CO. VS. COMMERCE DEVELOPMENT, LLC, ET AL. ENTERED: 05/16/2017	2016-CA-001131-MR	JESSAMINE
MICHAEL WETHERELL VS. STEPHANIE WETHERELL ENTERED: 05/16/2017	2016-CA-001267-MR	KENTON
REGGINAL L. TAYLOR VS. TABITHA L. TAYLOR ENTERED: 05/16/2017	2016-CA-001282-MR	OLDHAM
ALEXA BOLLAND, ET AL. VS. NOEL S. WHITE, D/B/A NOEL WHITE REAL ESTATE ENTERED: 05/16/2017	2016-CA-001313-MR	WOODFORD
ANGELA M. PAYNE (FORMERLY HILBERS) VS. GARY D. HILBERS ENTERED: 05/16/2017	2016-CA-001832-MR	BULLITT
RODGER YAN VS. ANGELA MA ENTERED: 05/16/2017	2016-CA-001840-MR	JEFFERSON

COURT OF APPEALS OF KENTUCKY

05/19/2017 AT 10:00 A.M.

PAGE 11 of 12

LUCKY JR.'S WHISKEY STORE, 2016-CA-001867-MR JEFFERSON
INC., ET AL.

VS.

JOHN F. TROMPETER COMPANY, INC.

ENTERED: 05/16/2017

LITER'S, INC. 2017-CA-000089-MR BRECKINRIDGE

VS.

2017-CA-000154-MR

RUTH CRAWFORD, ET AL.

ENTERED: 05/16/2017

ROBERT L. HENRY 2017-CA-000184-ME ESTILL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 05/17/2017

MARLIN BARNES 2017-CA-000198-ME NELSON

VS.

STEPHANIE BARNES

ENTERED: 05/16/2017

K.F. 2017-CA-000280-ME BOONE

VS.

B.E., A MINOR CHILD

ENTERED: 05/17/2017

LINDA DENISE KRUSE 2017-CA-000339-ME KENTON

VS.

MICHAEL EDWARD KRUSE

ENTERED: 05/17/2017

A.M. 2017-CA-000562-ME JEFFERSON

VS.

A.P., ET AL.

ENTERED: 05/15/2017

ORDERS DENYING PETITION FOR REHEARING:

MICHAEL ADAMS 2016-CA-000324-MR EDMONSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 05/15/2017

ASHLEY ELIZABETH CRAFTON 2016-CA-000519-ME HENDERSON

VS.

2016-CA-000642-ME

SCOTT F. CRAFTON

ENTERED: 05/16/2017

