

# February 2023

## Oral Argument Calendar

# Motion Panel

Judge Sara Combs, Presiding Judge

Judge Annette Karem and  
Judge Jacqueline Caldwell,  
Associate Judges

## Kentucky Court of Appeals

### Oral Argument Calendar

Monday, February 13, 2023

Location: SARA WALTER COMBS COURTROOM, KENTUCKY COURT OF APPEALS, FRANKFORT, KY

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**1:30 PM**      **JOHN SHOLAR ET. AL. V. KAYLA TURNER**  
**(EST)**  
**\*\*LIVE**      [2021-CA-1374](#)  
**STREAM\*\***

**Presiding Judge: HON. KELLY MARK EASTON**

**Associates Judges: HON. ALLISON E. JONES and HON. JAMES H. LAMBERT**

Qualified Official Immunity of police officer. Discretionary or ministerial nature of where police vehicle is parked during investigation of accident scene.

**JEFFERSON County, HON. OLU A. STEVENS**

Attorneys for Appellant: Andrew Steele Miller, Gregory Scott Gowen and Michael J O'Connell

Attorney for Appellee: Aubrey Williams

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Wednesday, February 15, 2023

Location: SARA WALTER COMBS COURTROOM, KENTUCKY COURT OF APPEALS, FRANKFORT, KY

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**10:30 AM (EST) GREENVILLE CUMBERLAND PRESBYTERIAN CHURCH V. STATE AUTO PROPERTY & CASUALTY COMPANY ET. AL.**

**\*\*LIVE STREAM\*\*** [2022-CA-0409](#)

**Presiding Judge: HON. JACQUELINE M. CALDWELL**

**Associate Judges: HON. AUDRA ECKERLE and HON. ANNETTE KAREM**

Civil - Appeal from summary judgment at the trial court where trial court found for the insurer based on what it believed to be controlling case law. Appellant argues facts of this case differ from the controlling precedent in regard to the "collapse" and also due to the requirement to mitigate clause in the insurance policy.

**MUHLENBERG County, HON. BRIAN WIGGINS**

Attorneys for Appellants: Bartley Kemble Hagerman and Mendel Austin Mehr

Attorneys for Appellee: James Patrick Nolan, II and Perry Adanick

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**11:15 AM (EST) KENNETH SCOTT HIGGINS V. ELLIE SCORSONE-STOVALL**

**\*\*LIVE STREAM\*\*** [2022-CA-0930](#)

**Presiding Judge: HON. JACQUELINE M. CALDWELL**

**Associate Judges: HON. AUDRA ECKERLE and HON. ANNETTE KAREM**

Civil - Appeal from entry of an IPO on both the merits, was stalking sufficiently proven, and Appellant also argues the court erred in not continuing hearing when Appellant was not available for court due to being hospitalized and when the court did not establish Appellant was competent before having the hearing.

**FAYETTE County, HON. LIBBY G. MESSER**

Attorney for Appellant: John Gerhart Landon

Attorney for Appellee: Christopher Allen Spedding