

**UPDATED: 10/23/2015**

# **OCTOBER 2015**

# **ORAL ARGUMENT**

# **CALENDAR**

Report Updated On: 10/23/2015

Updated: 10/23/2015

**OCTOBER, 2015**

**OCTOBER 6, 2015**

**1:00 PM (EASTERN TIME) – MOTION PANEL:  
JUDGE STUMBO, PRESIDING JUDGE, JUDGE JAMES  
LAMBERT AND JUDGE VANMETER.**

**OCTOBER 13, 2015**

**11:00 AM (EASTERN TIME) - COURT MEETING**

**PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL  
ARGUMENTS SCHEDULED:**

**BARDSTOWN – Contact Diane Thompson (502) 348-3648**

**FAYETTE – Contact Dana Carter (859) 246-2132 or 246-2133**

**FRANKFORT – Contact Patricia Brauer - (502) 573-7920**

**LOCATION: FAYETTE COUNTY CIRCUIT COURTROOM, COURTROOM I, 4TH FLOOR, 120 NORTH LIMESTONE STREET, LEXINGTON, KENTUCKY**

**DATE: Wednesday, October 28, 2015**

10:00 AM PJ: TAYLOR, HON. JEFF S.

MAZE, HON. IRV

STUMBO, HON. JANET L.

2014CA001909

JESSICA M. BURDETTE v COMMONWEALTH OF KENTUCKY

Whether circuit court properly denied appellant's motion to suppress evidence.

CRIMINAL

MADISON COUNTY

HON JEAN CHENAULT LOGUE

Appellant Atty:

Appellant Name:

HART, JASON

BURDETTE, JESSICA

SCHMIDT, KATHLEEN

Appellee Atty:

Appellee Name:

CONWAY, JACK

COMMONWEALTH OF KENTUCKY

PRATHER, JEFFREY

\*\* NOTE:

10:45 AM PJ: TAYLOR, HON. JEFF S.

MAZE, HON. IRV

STUMBO, HON. JANET L.

2012CA000179

CABINET FOR HEALTH AND FAMILY SERVICES v COURIER-JOURNAL, INC.

2012CA000356

2014CA000540

2012-CA-000179 and 2014-CA-000540-Whether the Cabinet violated the Open Records Act; whether circuit court properly awarded attorney's fees and statutory penalties; 2012-CA-000356 - Whether Appeal Nos. 2012-CA-000179 and 2014-CA-000540 should be dismissed as moot or alternatively affirmed upon grounds of res judicata.

CIVIL

FRANKLIN COUNTY

HON PHILLIP J. SHEPHERD

Appellant Atty:

Appellant Name:

HEAVRIN, CHRISTINA

CABINET FOR HEALTH AND FAMILY SERVICES

IRVIN, D

SNYDER, SHERYL

Appellee Atty:

Appellee Name:

ABATE, MICHAEL

COURIER-JOURNAL, INC.

FLEISCHAKER, JON

ROGERS, JEREMY

HOULIHAN, ROBERT JR

LEXINGTON H-L SERVICES, INC.

SKIDMORE, KIF

ADAMS, AMELIA

THE NATIONAL COUNCIL OF JEWISH WOMEN

WEST, B.

WATKINS, PATRICK

\*\* NOTE:

**LOCATION: FAYETTE COUNTY CIRCUIT COURTROOM, COURTROOM I, 4TH FLOOR, 120 NORTH LIMESTONE STREET, LEXINGTON, KENTUCKY**

**DATE: Wednesday, October 28, 2015**

11:30 AM PJ: TAYLOR, HON. JEFF S.

MAZE, HON. IRV

STUMBO, HON. JANET L.

2012CA000336

**CABINET FOR HEALTH AND FAMILY SERVICES v THE TODD COUNTY STANDARD, INC.**

Whether circuit court properly ordered the Cabinet to produce certain records; whether the circuit court erred by awarding attorney's fees and statutory penalties.

<b>CIVIL</b>	<b>FRANKLIN COUNTY</b>	<b>HON PHILLIP J. SHEPHERD</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
HEAVRIN, CHRISTINA		CABINET FOR HEALTH AND FAMILY SERVICES
IRVIN, D		
WOMACK, MONA		
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
ADAMS, AMELIA		NATIONAL COUNCIL OF JEWISH WOMEN
ABATE, MICHAEL		THE TODD COUNTY STANDARD, INC.
FLEISCHAKER, JON		
ROGERS, JEREMY		
.....		

**\*\* NOTE:**

**LOCATION: NELSON COUNTY JUSTICE CENTER, DISTRICT COURTROOM, 200  
NELSON COUNTY PLAZA, BARDSTOWN, KENTUCKY**

**DATE: Thursday, October 29, 2015**

**10:00 AM PJ: JONES, HON. ALLISON E. LAMBERT, HON. DEBRA HEMBREE THOMPSON, HON. KELLY**  
**2014CA001782 PUTNAM & SONS, LLC v PADUCAH INDEPENDENT SCHOOL DISTRICT**

Civil; Appeal of Court's determination of just compensation in a condemnation action. Issues involving eminent domain and constitutional standard of just compensation market value.

<b>CIVIL</b>	<b>MCCRACKEN COUNTY</b>	<b>HON CRAIG Z CLYMER</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>BIERSDORF, DANIEL</b>		<b>PUTNAM &amp; SONS, LLC</b>
<b>WRIGHT, SAMUEL</b>		
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<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>WHITLOW, MARK</b>		<b>PADUCAH INDEPENDENT SCHOOL DISTRICT</b>
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**\*\* NOTE:**

**10:45 AM PJ: JONES, HON. ALLISON E. LAMBERT, HON. DEBRA HEMBREE THOMPSON, HON. KELLY**  
**2015CA000696 DONNA THOMAS v EDDIE'S SERVICE CENTER**

WC; Whether the order of the Workers' Compensation Board affirming the dismissal of Appellant's claim was proper.

<b>WORKERS COMP</b>	<b>WOODFORD COUNTY</b>	
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>RICHARDSON, PAULA</b>		<b>THOMAS, DONNA</b>
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<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>BOLTON, STEVEN</b>		<b>BOLTON, STEVEN</b>
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<b>HUTSON, RICHARD</b>		<b>EDDIE'S SERVICE CENTER</b>
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<b>LOVAN, DWIGHT</b>		<b>WORKERS' COMPENSATION BOARD</b>
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**\*\* NOTE:**

**LOCATION: NELSON COUNTY JUSTICE CENTER, DISTRICT COURTROOM, 200  
NELSON COUNTY PLAZA, BARDSTOWN, KENTUCKY**

**DATE: Thursday, October 29, 2015**

**12:30 PM PJ: LAMBERT, HON. DEBRA HEMBREE JONES, HON. ALLISON E. THOMPSON, HON. KELLY**  
**2014CA001115 SAMUEL PATTON v COMMONWEALTH OF KENTUCKY**

Whether the trial court properly overruled the motion to withdraw Appellants guilty plea which was taken after a jury returned a guilty verdict.

<b>CRIMINAL</b>	<b>EDMONSON COUNTY</b>	<b>HON RONNIE C DORTCH</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>MASCAGNI, FRANK III</b>		<b>PATTON, SAMUEL</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>VAN DE ROSTYNE, THOMAS</b>		<b>COMMONWEALTH OF KENTUCKY</b>
.....		

**\*\* NOTE:**

**01:15 PM PJ: LAMBERT, HON. DEBRA HEMBREE JONES, HON. ALLISON E. THOMPSON, HON. KELLY**  
**2014CA001397 ROBERT HUXOL v DAVIESS COUNTY FISCAL COURT**

Whether the Daviess County Fiscal Court properly rezoned acreage from urban and rural agricultural to coal mining uses.

<b>CIVIL</b>	<b>DAVIESS COUNTY</b>	<b>HON JOSEPH W CASTLEN</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
<b>FITZGERALD, THOMAS OVERSTREET, KENT</b>		<b>HUXOL, ROBERT</b>
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
<b>PORTER, CLAUD</b>		<b>DAVIESS COUNTY FISCAL COURT</b>
.....		
<b>KNIGHT, TERRA</b>		<b>OWENSBORO METROPOLITAN PLANNING AND ZONING COMMISSION</b>
.....		
<b>HAYNES, BRIAN</b>		<b>RUBY JEAN HITCHCOCK REVOCABLE LIVING TRUST</b>
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**\*\* NOTE:**