

KENTUCKY COURT OF APPEALS

FEBRUARY 03, 2023 MINUTES

RELEASED: 10:00 A.M.

79. D'SARAH LATTIMORE v. NEIL HUFFMAN VOLKSWAGEN INCORPORATED, ET AL. [2021-CA-0781-MR](#) JEFFERSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING IN PART, REVERSING IN PART, AND MODIFYING ORDER BY JUDGE EASTON**
- ECKERLE, J. (CONCURS) AND GOODWINE, J. (CONCURS)
80. THOMAS JOHN ALGEO v. THE ESTATE OF JOHN THOMAS ALGEO, BY AND THROUGH ITS EXECUTRIX, CATHERINE MARIE ALGEO, ET AL. [2021-CA-1027-MR](#) WARREN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE EASTON**
- CETRULO, J. (CONCURS) AND KAREM, J. (CONCURS)
81. TYLER STORY v. COMMONWEALTH OF KENTUCKY [2021-CA-1048-DG](#) CAMPBELL
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CETRULO**
- TAYLOR, J. (CONCURS) AND DIXON, J. (CONCURS AND FILES SEPARATE OPINION)
82. ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY v. BRITTANY BROWN [2021-CA-1213-MR](#) JEFFERSON
TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CALDWELL**
- COMBS, J. (CONCURS) AND CETRULO, J. (DISSENTS AND FILES SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

83. JOHNNIE WIDNER v.
COMMONWEALTH OF KENTUCKY [2021-CA-1265-MR](#) LETCHER
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE JONES**
- EASTON, J. (CONCURS) AND
LAMBERT, J. (DISSENTS AND DOES NOT
FILE SEPARATE OPINION)
84. CHRISTOPHER CAMERON, JR. v.
EMILY SMITH [2021-CA-1294-MR](#) GREENUP
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
CETRULO**
- JONES, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
85. REGO THOMAS CRUSE v.
COMMONWEALTH OF KENTUCKY [2021-CA-1337-MR](#) HENDERSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
GOODWINE**
- THOMPSON, C.J. (CONCURS) AND
DIXON, J. (CONCURS)
86. J.J. v.
A.N.L., ET AL. [2021-CA-1389-ME](#) BARREN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE TAYLOR**
- DIXON, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
87. MINDY DAVENPORT, ET AL. v.
CITY OF MOREHEAD [2021-CA-1395-MR](#) ROWAN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
GOODWINE**
- CETRULO, J. (CONCURS) AND
COMBS, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

88. J.E.K. v. [2022-CA-0227-ME](#) ROWAN
J.M.F.H., NATURAL MOTHER, ET AL. **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE DIXON
CETRULO, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
89. DAVID KHAZAI v. [2022-CA-0263-ME](#) JEFFERSON
SHAHPAR SHAHAB **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE JONES
CETRULO, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
90. DAVID KHAZAI v. [2022-CA-0264-ME](#) JEFFERSON
ANITA AHMADI **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE JONES
CETRULO, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
91. NATHAN LOCKARD, ET AL. v. [2022-CA-0298-MR](#) PIKE
AMERICAN BOTANICALS, LLC **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE DIXON
THOMPSON, C.J. (CONCURS) AND
GOODWINE, J. (CONCURS)
92. ROBERT FRAZIER v. [2022-CA-0484-MR](#) FULTON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**OPINION VACATING AND REMANDING BY
JUDGE EASTON**
CETRULO, J. (CONCURS) AND
DIXON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

93. BRETT LUCKABAUGH v. [2022-CA-0591-ME](#) WARREN
MARCIA LUCKABAUGH NOT TO BE PUBLISHED

OPINION AFFIRMING BY JUDGE EASTON

CETRULO, J. (CONCURS) AND
DIXON, J. (CONCURS)

94. RICHARD F. DAWAHARE v. [2022-CA-0841-ME](#) FAYETTE
COMMONWEALTH OF KENTUCKY, NOT TO BE PUBLISHED
CABINET FOR HEALTH AND FAMILY
SERVICES

**OPINION REVERSING AND REMANDING
BY JUDGE DIXON**

CETRULO, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

ORDERS DISMISSING

AMERICAN HONDA MOTOR COMPANY, INC. v. [2022-CA-1021-OA](#) PIKE
HON. EDDY COLEMAN, JUDGE,
PIKE CIRCUIT COURT, ET AL.

Entered: JANUARY 25, 2023

MARTHA LEWIS v. [2022-CA-0615-MR](#) MONTGOMERY
GEORGE DAVENPORT

Entered: JANUARY 25, 2023

OLGA LEE POWERS v. [2022-CA-0824-MR](#) FAYETTE
BAPTIST HEALTHCARE SYSTEM, INC.,
D/B/A BAPTIST HEALTH LEXINGTON,
D/B/A BAPTIST HOSPITALS, INC.

Entered: JANUARY 23, 2023

KENTUCKY COURT OF APPEALS

FEBRUARY 03, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

DAVID HERNDON v.
MILDRED HERNDON

[2022-CA-1067-MR](#)

JEFFERSON

Entered: JANUARY 25, 2023

STAR REBUILDERS, LLC, ET AL. v.
JAMES BRETT WAYNE, ET AL.

[2022-CA-1165-MR](#)

MUHLENBERG

AND

RICKY EDWIN MATHENY v.
STAR REBUILDERS, LLC, ET
AL.

[2022-CA-1206-MR](#)

[2022-CA-1207-MR](#)

Entered: JANUARY 25, 2023

ANNE KEENAN v.
KENTUCKY RETIREMENT SYSTEMS

[2022-CA-1189-MR](#)

FRANKLIN

Entered: JANUARY 25, 2023

MICHAEL FIRST, ET AL. v.
BAYVIEW LOAN SERVICING, LLC

[2022-CA-1191-MR](#)

SPENCER

[2022-CA-1192-MR](#)

Entered: JANUARY 31, 2023

EDWARD R. DAVIS v.
RICKY W. MACK, II, ET AL.

[2022-CA-1216-MR](#)

MASON

Entered: JANUARY 25, 2023

COLTON HINKEL, ET AL. v.
KRISTIAN BROCK, ET AL.

[2022-CA-1333-MR](#)

HENRY

Entered: JANUARY 31, 2023

DOUGLAS PAUL ROGERS v.
BRIDGET LYNN ROGERS

[2021-CA-0935-MR](#)

CALLOWAY

Entered: JANUARY 25, 2023

KENTUCKY COURT OF APPEALS

FEBRUARY 03, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

JANETTA MAZE v.
JAMES HERRINGTON

[2022-CA-0150-MR](#)

BATH

Entered: JANUARY 25, 2023

LAURA A. SPICER, ET AL. v.
KRISTOPHER RYAN CAMBRON

[2022-CA-0273-MR](#)

JEFFERSON

Entered: JANUARY 25, 2023

DEBRA SIZEMORE v.
JAMES A. BROWN ENTERPRISES, LLC
D/B/A RAMADA INN, ET AL.

[2022-CA-0782-MR](#)

JOHNSON

Entered: JANUARY 25, 2023

JAMES JONES EXCAVATING, INC. v.
ROBERT J. SANFORD

[2022-CA-1217-MR](#)

HARLAN

Entered: JANUARY 25, 2023

ORDERS DENYING MOTIONS FOR DISCRETIONARY REVIEW

STEPHANIE GASTAUER v.
ROBERT A. MUSE, III, AS EXECUTOR OF THE
ESTATE OF GARY L. MUSE

[2022-CA-1160-D](#)

MASON

Entered: JANUARY 25, 2023

IVAN ANDRACENKO v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1256-D](#)

KENTON

Entered: JANUARY 27, 2023

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

DARNELL CHIVERS v.
HON. PAUL KENTON WINCHESTER, JUDGE,
WHITLEY CIRCUIT COURT, ET AL.

[2022-CA-1164-OA](#)

WHITLEY

Entered: JANUARY 31, 2023