

KENTUCKY COURT OF APPEALS

FEBRUARY 04, 2022 MINUTES

RELEASED: 10:00 A.M.

64. FREDERICK L. MILLER v.
COMMONWEALTH OF KENTUCKY [2020-CA-0670-MR](#) WARREN
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE MCNEILL
ACREE, J. (CONCURS) AND
DIXON, J. (CONCURS)
65. LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT v. [2020-CA-0721-MR](#) JEFFERSON
KEVIN ISHAM, ET AL. **NOT TO BE PUBLISHED**
**OPINION REVERSING AND REMANDING
BY JUDGE MCNEILL**
COMBS, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
66. ELIZABETH HARAC, INDIVIDUALLY v. [2020-CA-0922-MR](#) JEFFERSON
NORTON HOSPITALS, INC. **NOT TO BE PUBLISHED**
D/B/A NORTON HOSPITAL, ET AL.
**OPINION REVERSING AND REMANDING
BY JUDGE L. THOMPSON**
GOODWINE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
67. JETH NELSON v. [2020-CA-0935-MR](#) MCCRACKEN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE COMBS
DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

68. CONRAI ANDRE KABALLAH v. COMMONWEALTH OF KENTUCKY [2020-CA-0973-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE DIXON
MCNEILL, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
69. JERAMIE STANLEY, AS GUARDIAN OF BENNIE JUNIOR STANLEY, ET AL. v. SAMEER MADHU DESAI, M.D. [2020-CA-1073-MR](#) FAYETTE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE ACREE
GOODWINE, J. (CONCURS) AND
JONES, J. (DISSENTS AND FILES
SEPARATE OPINION)
70. M.S., ET AL. v. COMMONWEALTH OF KENTUCKY, ET AL. [2020-CA-1211-ME](#) HENDERSON
[2020-CA-1212-ME](#)
[2020-CA-1213-ME](#)
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE DIXON
ACREE, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
71. DENNIS JACKSON v. COMMONWEALTH OF KENTUCKY [2020-CA-1301-MR](#) BREATHITT
TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE CETRULO
CALDWELL, J. (CONCURS) AND
MAZE, J. (CONCURS)
72. JAMES DAVID ADKINS v. COMMONWEALTH OF KENTUCKY [2021-CA-0024-MR](#) OHIO
NOT TO BE PUBLISHED
**OPINION AFFIRMING IN PART, VACATING
IN PART, AND REMANDING BY JUDGE
JONES**
LAMBERT, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

73. PATSY ANN HIGGINS v.
DR. WILLIAM BARNES, ET AL. [2021-CA-0120-MR](#) LIVINGSTON
NOT TO BE PUBLISHED
**OPINION AFFIRMING BY JUDGE
L. THOMPSON**
ACREE, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
74. MICHAEL KELLY v.
NORA KELLY [2021-CA-0224-MR](#) JEFFERSON
NOT TO BE PUBLISHED
**OPINION AND ORDER DISMISSING BY
JUDGE COMBS**
DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
75. GREGORY S. L'HEUREUX v.
TRICIA A. HETTINGER L'HEUREUX [2021-CA-0329-ME](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE TAYLOR
CLAYTON, C.J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
76. ARNOLD JAWAHIR v.
DAGMAR JAWAHIR [2021-CA-0633-ME](#) MEADE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE DIXON
ACREE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

77. JAY HARTZ, IN HIS OFFICIAL CAPACITY AS DIRECTOR OF THE LEGISLATIVE RESEARCH COMMISSION v. MCCLATCHY COMPANY, LLC [2021-CA-0634-MR](#) FRANKLIN
TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE L. THOMPSON**
- MAZE, J. (CONCURS) AND LAMBERT, J. (CONCURS IN PART, DISSENTS IN PART, AND FILES SEPARATE OPINION)
78. CHARLES R. NOPLIS, II, M.D. v. KENTUCKY BOARD OF MEDICAL LICENSURE [2021-CA-0674-MR](#) JEFFERSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE COMBS**
- CLAYTON, C.J. (CONCURS) AND JONES, J. (CONCURS)
79. S.L.S. v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. [2021-CA-0770-ME](#) FAYETTE
[2021-CA-0771-ME](#)
[2021-CA-0772-ME](#)
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE JONES**
- ACREE, J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
80. KAYLA LEWIS v. PATRICK LEWIS [2021-CA-0787-ME](#) JEFFERSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CETRULO**
- CALDWELL, J. (CONCURS) AND MAZE, J. (DISSENTS AND FILES SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

81. JAMES VIARS (DECEASED) ESTATE,
ET AL. v.
CUMBERLAND MILL WORK & SUPPLY,
INC., ET AL. [2021-CA-1178-WC](#)
[2021-CA-1276-WX](#) WORKERS'
COMPENSATION
BOARD
**NOT TO BE
PUBLISHED**

**OPINION AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING
BY JUDGE L. THOMPSON**

LAMBERT, J. (CONCURS) AND
MAZE, J. (CONCURS)

ORDERS DISMISSING

DARTANION RAMON WILLIAMS v.
TAMIA CLARDY (TERRY) [2021-CA-1052-MR](#) JEFFERSON

Entered: JANUARY 28, 2022

LARRY LESLIE v.
CASSIDY HAGAN ON HER OWN BEHALF AND
ON BEHALF OF JEANNIE FLOYD [2021-CA-1149-ME](#) UNION

Entered: JANUARY 28, 2022

DELMAR L. JESSIE, JR. v.
ROGERS TRUCKING COMPANY, ET AL. [2020-CA-0399-WC](#) WORKERS'
COMPENSATION
BOARD

Entered: JANUARY 28, 2022

MARCUS DANIEL JEFFERSON v.
COMMONWEALTH OF KENTUCKY [2021-CA-0262-MR](#)
[2021-CA-0263-MR](#) FAYETTE

Entered: JANUARY 27, 2022

YULEISIS RODRIGUEZ v.
COMMONWEALTH OF KENTUCKY [2021-CA-0434-MR](#) JEFFERSON

Entered: FEBRUARY 01, 2022

KENTUCKY COURT OF APPEALS

FEBRUARY 04, 2022 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

KIMBALL LIVESAY RUOFF v.
TROUTMAN LAW OFFICE PLLC

[2021-CA-0214-MR](#)

JEFFERSON

Entered: FEBRUARY 01, 2022

TERESA BULA DOUSAY v.
TIMOTHY SCOTT DOUSAY

[2021-CA-1046-ME](#)

FAYETTE

Entered: JANUARY 27, 2022

ONIARD SUTTON v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1582-MR](#)

HENDERSON

Entered: JANUARY 27, 2022

ORDER DENYING PETITION FOR REHEARING

GLENN D. AUGENSTEIN v.
DEUTSCHE BANK NATIONAL TRUST COMPANY

[2018-CA-1831-MR](#)

HENRY

Entered: JANUARY 31, 2022

ORDER AFFIRMING

JEROME CATLETT v.
COMMONWEALTH OF KENTUCKY

[2021-CA-1448-ME](#)

CHRISTIAN

Entered: JANUARY 28, 2022

ORDERS DENYING PETITIONS FOR WRIT OF PROHIBITION

JOHN FLYNN v.
HON. BRYAN D GATEWOOD, JUDGE,
JEFFERSON CIRCUIT COURT, ET AL.

[2021-CA-1068-OA](#)

JEFFERSON

Entered: FEBRUARY 01, 2022

KENTUCKY COURT OF APPEALS

FEBRUARY 04, 2022 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR WRIT OF PROHIBITION

NGAN THI THU PHAM
(FORMERLY MCLEOD, A/K/A "JENNY") v.
HON. DEANNA WISE HENSCHER, JUDGE,
MCCRACKEN CIRCUIT COURT

[2021-CA-1252-OA](#)

MCCRACKEN

Entered: FEBRUARY 01, 2022

ORDER WITHDRAWING OPINION

KAYLA LEWIS v.
PATRICK LEWIS

[2021-CA-0787-ME](#)

JEFFERSON

Entered: FEBRUARY 04, 2022