

KENTUCKY COURT OF APPEALS

FEBRUARY 10, 2023 MINUTES

RELEASED: 10:00 A.M.

95. SCOTTY HALSEY, ET AL. v.
HOLBROOK IMPLEMENT CO., LLC [2020-CA-0325-MR](#) MENIFEE
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE TAYLOR**
- CETRULO, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
96. STUART A. COX v.
COMMONWEALTH OF KENTUCKY [2021-CA-0176-MR](#) JEFFERSON
[2021-CA-0244-MR](#) WARREN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CALDWELL**
- DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
97. PROGRESSIVE DIRECT INSURANCE
COMPANY v.
COURTNEY HARTSON [2021-CA-0197-MR](#) JEFFERSON
[2021-CA-0256-MR](#)
TO BE PUBLISHED
- OPINION AFFIRMING IN PART,
REVERSING IN PART, AND MODIFYING
BY JUDGE EASTON**
- DIXON, J. (CONCURS) AND
JONES, J. (CONCURS)
98. ALEXANDER MUNIZ v.
RANDY WHITE, ACTING COMMISSIONER
OF THE KENTUCKY DEPARTMENT OF
CORRECTIONS, ET AL. [2021-CA-0448-MR](#) LEE
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE TAYLOR**
- ACREE, J. (CONCURS) AND
CETRULO, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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99. SIMEON MCKINNIE v. COMMONWEALTH OF KENTUCKY [2021-CA-0583-MR](#) KENTON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE GOODWINE
THOMPSON, C.J. (CONCURS) AND CALDWELL, J. (CONCURS)
100. GARLAND L. MASDEN v. MARY JAMES MASDEN [2021-CA-0672-MR](#) HARDIN
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE CETRULO
DIXON, J. (CONCURS) AND TAYLOR, J. (CONCURS)
101. JASON M. GAINES v. ROSEMARIE STURGEON [2021-CA-0710-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY CHIEF JUDGE THOMPSON
GOODWINE, J. (CONCURS) AND CALDWELL, J. (CONCURS IN RESULT ONLY)
102. ALAN BARNETT v. COMMONWEALTH OF KENTUCKY [2021-CA-1452-MR](#) KENTON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE CETRULO
DIXON, J. (CONCURS) AND TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 10, 2023 MINUTES

RELEASED: 10:00 A.M.

103. STEPHEN L. STRICKLIN v. [2021-CA-1508-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY, ET AL. **NOT TO BE PUBLISHED**
- OPINION AND ORDER DISMISSING BY
JUDGE EASTON**
- COMBS, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
104. CUMBERLAND SECURITY BANK, INC. v. [2021-CA-1515-MR](#) PULASKI
FIRST SOUTHERN NATIONAL BANK, **TO BE PUBLISHED**
ET AL.
- OPINION AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING
BY JUDGE CALDWELL**
- DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
105. JOHN L. COVERT, II v. [2022-CA-0044-MR](#) OLDHAM
SARAH K. DRAKE **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE EASTON**
- JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
106. TRUMAN E. ADAMS, SR. v. [2022-CA-0085-MR](#) MONROE
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE COMBS**
- ACREE, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
107. HAROLD MICHAEL MILAM v. [2022-CA-0168-MR](#) RUSSELL
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE EASTON**
- JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 10, 2023 MINUTES

RELEASED: 10:00 A.M.

108. TYSON L. GHOLSON v.
JILLIAN G. THURMAN, ET AL. [2022-CA-0181-MR](#) SHELBY
NOT TO BE PUBLISHED
**OPINION REVERSING BY JUDGE
CETRULO**
DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
109. COMMONWEALTH OF KENTUCKY,
KENTUCKY UNEMPLOYMENT
INSURANCE COMMISSION v.
TIMOTHY S. HART, MD P.S.C.
D/B/A HART FAMILY CARE, ET AL. [2022-CA-0269-MR](#) BOYD
NOT TO BE PUBLISHED
**OPINION AND ORDER AFFIRMING, IN
PART, REVERSING, IN PART, AND
REMANDING BY JUDGE GOODWINE**
CETRULO, J. (CONCURS) AND
COMBS, J. (CONCURS)
110. FREEDOM DAY HEALTHCARE CENTER
LIMITED LIABILITY COMPANY, AS
GUARDIAN OF DOROTHY GARDNER, A
DISABLED ADULT v.
MELINDA BURROUGHS, ET AL. [2022-CA-0307-MR](#) JEFFERSON
NOT TO BE PUBLISHED
**OPINION AFFIRMING BY JUDGE
CETRULO**
DIXON, J. (CONCURS) AND
EASTON, J. (CONCURS)
111. BERNARD TEW, PH.D., ET AL. v.
KENTUCKY FARM BUREAU MUTUAL
INSURANCE COMPANY, ET AL. [2022-CA-0338-MR](#) WOODFORD
NOT TO BE PUBLISHED
**OPINION AFFIRMING BY JUDGE
CETRULO**
JONES, J. (CONCURS) AND
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 10, 2023 MINUTES

RELEASED: 10:00 A.M.

112. T.T. v. [2022-CA-0785-ME](#) FRANKLIN
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.
- OPINION REVERSING BY JUDGE
CETRULO**
- DIXON, J. (CONCURS IN RESULT ONLY)
AND EASTON, J. (DISSENTS AND FILES
SEPARATE OPINION)
113. SPENCER COUNTY FISCAL COURT v. [2022-CA-0802-WC](#) WORKERS'
GARY DAY, ET AL. **NOT TO BE** COMPENSATION
PUBLISHED BOARD
- OPINION AFFIRMING BY JUDGE EASTON**
- JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
114. M.P. v. [2022-CA-0927-ME](#) JEFFERSON
COMMONWEALTH OF KENTUCKY, [2022-CA-1045-ME](#)
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES, ET AL.
- AND**
- A.B.N.J-N. v.
COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.
- OPINION AFFIRMING BY JUDGE KAREM**
- JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 10, 2023 MINUTES

RELEASED: 10:00 A.M.

115. KENDALL HENRY v.
PASCHALL TRUCK LINES INC., ET AL. [2022-CA-1153-WC](#) WORKERS'
NOT TO BE COMPENSATION
PUBLISHED BOARD
OPINION AFFIRMING BY JUDGE JONES
ACREE, J. (CONCURS) AND
EASTON, J. (CONCURS)
116. LFUCG POLICE DEPARTMENT v. [2022-CA-1310-WC](#) WORKERS'
DEBORAH HURT, ET AL. **NOT TO BE** COMPENSATION
PUBLISHED BOARD
OPINION AFFIRMING BY JUDGE COMBS
ACREE, J. (CONCURS) AND
ECKERLE, J. (CONCURS)

ORDERS DISMISSING

DAVENPORT EXTREME POOLS AND SPAS, [2022-CA-1446-MR](#) JEFFERSON
INC., ET AL. v.
ELIZABETH ANN MULFLUR, ET AL.
Entered: FEBRUARY 07, 2023

ROBERT A. MUSE, III, AS EXECUTOR OF THE [2022-CA-1296-MR](#) MASON
ESTATE OF GARY L. MUSE v.
STEPHANIE GASTAUER
Entered: FEBRUARY 01, 2023

ORDER DENYING PETITION FOR REHEARING

ELEMENTAL PROCESSING, LLC v. [2020-CA-1413-MR](#) FAYETTE
AMERRA CAPITAL MANAGEMENT, LLC, ET AL. [2021-CA-0495-MR](#)
AND [2021-CA-0526-MR](#)
CAPSTONE GROUP 2100, LLC v.
AMERRA CAPITAL MANAGEMENT, LLC, ET AL.
Entered: FEBRUARY 01, 2023