

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

117. CHARLES E. BAKER, ET AL. v. COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS [2021-CA-0458-MR](#) BOONE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE LAMBERT
DIXON, J. (CONCURS) AND MCNEILL, J. (CONCURS)
118. ANTONIO CARTER v. SHACORRHA CARTER [2021-CA-0730-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION VACATING AND REMANDING BY JUDGE TAYLOR
CALDWELL, J. (CONCURS) AND MCNEILL, J. (CONCURS)
119. KENNETH TURNER v. COMMONWEALTH OF KENTUCKY-DEPARTMENT OF CORRECTIONS, ET AL. [2021-CA-0797-WC](#) WORKERS' COMPENSATION BOARD
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE JONES
ACREE, J. (CONCURS) AND EASTON, J. (CONCURS)
120. LEONEL MIRANDA MARTINEZ v. COMMONWEALTH OF KENTUCKY [2021-CA-0979-MR](#) DAVIESS
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE TAYLOR
DIXON, J. (CONCURS) AND MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

121. STEVE HACKWORTH v. COMMONWEALTH OF KENTUCKY [2021-CA-1072-MR](#) BOYD
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE TAYLOR
ACREE, J. (CONCURS) AND
KAREM, J. (CONCURS)
122. TRACY CHERRY v. WILLIE HARRIS [2021-CA-1114-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION REVERSING AND REMANDING BY JUDGE JONES
ECKERLE, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
123. TONYA STALLARD v. JOHN JOHNSON, ET AL. [2021-CA-1251-MR](#) LETCHER
[2022-CA-0351-MR](#)
NOT TO BE PUBLISHED
OPINION AFFIRMING AS TO BOTH APPEALS BY JUDGE COMBS
ACREE, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
124. JAMES ERIC BANKSTON v. JENNIFER S. MATTINGLY [2021-CA-1490-MR](#) MARION
TO BE PUBLISHED
OPINION REVERSING AND REMANDING BY JUDGE JONES
THOMPSON, C.J. (CONCURS) AND
KAREM, J. (CONCURS)
125. JAMES MICHAEL EVERETT v. GREGORY PAUL EDELEN, ET AL. [2022-CA-0109-MR](#) MARION
TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE EASTON
COMBS, J. (CONCURS) AND
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

126. MELISSA VANNATTER v.
COMMONWEALTH OF KENTUCKY [2022-CA-0280-MR](#) HARDIN
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE JONES
KAREM, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
127. JEWELL HALL v.
COMMONWEALTH OF KENTUCKY [2022-CA-0310-MR](#) MCCRACKEN
NOT TO BE PUBLISHED
**OPINION AFFIRMING IN PART, VACATING
IN PART, AND REMANDING BY JUDGE
KAREM**
JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
128. HENRY VOLENTINE, INDIVIDUALLY,
ET AL. v. [2022-CA-0336-MR](#) HARDIN
SUSAN SHEEHY, ET AL. **NOT TO BE PUBLISHED**
OPINION REVERSING BY JUDGE DIXON
THOMPSON, C.J. (CONCURS) AND
GOODWINE, J. (CONCURS)
129. WILLIAM GORDON CUMMINGS v. [2022-CA-0387-MR](#) MCCRACKEN
SHERRY JEAN CUMMINGS **NOT TO BE PUBLISHED**
**OPINION AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING
BY JUDGE ECKERLE**
CALDWELL, J. (CONCURS) AND
KAREM, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

130. E.T. v. [2022-CA-0569-ME](#) ESTILL
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES, COMMONWEALTH OF
KENTUCKY, ET AL.

**OPINION AND ORDER DISMISSING BY
JUDGE TAYLOR**

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

131. COMMONWEALTH OF KENTUCKY, [2022-CA-0624-ME](#) BARREN
CABINET FOR HEALTH AND FAMILY [2022-CA-0626-ME](#)
SERVICES, ET AL. v. [2022-CA-0627-ME](#)
A.T., A CHILD, ET AL. [2022-CA-0628-ME](#)
AND [2022-CA-0629-ME](#)
Z.T., A CHILD, ET AL. [2022-CA-0630-ME](#)
AND [2022-CA-0631-ME](#)
D.B., A CHILD, ET AL. [2022-CA-0632-ME](#)
AND [2022-CA-0633-ME](#)
C.A., A CHILD, ET AL. [2022-CA-0634-ME](#)
AND [2022-CA-0635-ME](#)
E.A., A CHILD, ET AL. **NOT TO BE PUBLISHED**
AND
J.A., A CHILD, ET AL.
AND
A.R., A CHILD, ET AL.
AND
H.R., A CHILD, ET AL.
AND
M.R., A CHILD, ET AL.
AND
A'D.R., A CHILD, ET AL.
AND
X.R., A CHILD, ET AL.

**OPINION REVERSING BY JUDGE
ECKERLE**

ACREE, J. (CONCURS) AND
COMBS, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

132. A.N.G. v. [2022-CA-0793-ME](#) TRIMBLE
CABINET FOR HEALTH AND FAMILY [2022-CA-0794-ME](#)
SERVICES, COMMONWEALTH OF **NOT TO BE PUBLISHED**
KENTUCKY, ET AL.
- OPINION AFFIRMING BY JUDGE
GOODWINE**
- THOMPSON, C.J. (CONCURS) AND
CALDWELL, J. (CONCURS)
133. BRIAN SMITH v. [2022-CA-0866-MR](#) FRANKLIN
KENTUCKY PAROLE BOARD, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- JONES, J. (CONCURS IN RESULT ONLY)
AND KAREM, J. (CONCURS IN RESULT
ONLY)
134. COMMONWEALTH OF KENTUCKY, [2022-CA-0921-ME](#) BARREN
CABINET FOR HEALTH AND FAMILY **TO BE PUBLISHED**
SERVICES, ET AL. v.
R.C., A CHILD, ET AL.
- OPINION AFFIRMING BY JUDGE
ECKERLE**
- ACREE, J. (CONCURS) AND
COMBS, J. (CONCURS)
135. KELLY PORTER v. [2022-CA-1259-WC](#) WORKERS'
AXELON, INC., ET AL. **NOT TO BE** COMPENSATION
PUBLISHED BOARD
- OPINION AFFIRMING BY JUDGE
ECKERLE**
- KAREM, J. (CONCURS) AND
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

FEBRUARY 17, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

DEBRA CHILDRESS v.
MICHELLE BURTON CHILDRESS, ET AL.

[2022-CA-0475-MR](#)

GREENUP

Entered: FEBRUARY 14, 2023

SAMANTHA SMITH v.
DYLAN TILLOTSON

[2022-CA-1251-ME](#)

JEFFERSON

Entered: FEBRUARY 14, 2023

DIJON DIXON v.
HECTOR JOYNER, WARDEN

[2022-CA-1498-ME](#)
[2022-CA-1499-ME](#)
[2022-CA-1500-ME](#)
[2022-CA-1501-ME](#)
[2022-CA-1502-ME](#)
[2022-CA-1503-ME](#)
[2022-CA-1504-ME](#)
[2022-CA-1505-ME](#)
[2022-CA-1506-ME](#)
[2022-CA-1507-ME](#)
[2022-CA-1508-ME](#)
[2022-CA-1509-ME](#)
[2022-CA-1510-ME](#)
[2022-CA-1511-ME](#)
[2022-CA-1512-ME](#)
[2022-CA-1513-ME](#)
[2022-CA-1514-ME](#)
[2022-CA-1515-ME](#)
[2022-CA-1516-ME](#)
[2022-CA-1517-ME](#)

MARTIN

Entered: FEBRUARY 14, 2023

RANDALL GOINS v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1492-MR](#)

KENTON

Entered: FEBRUARY 13, 2023

KENTUCKY COURT OF APPEALS

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ORDERS DISMISSING

MICHAEL L. ELLIOTT v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0331-MR](#)

LAUREL

Entered: FEBRUARY 13, 2023

PAUL COOK v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0760-MR](#)

CHRISTIAN

Entered: FEBRUARY 13, 2023

PAUL J. MULLINS v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0994-MR](#)

HARDIN

Entered: FEBRUARY 13, 2023

ROY R. DRAIN v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1424-MR](#)

HARDIN

Entered: FEBRUARY 13, 2023

BRIAN SCOTT SIZEMORE v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1523-MR](#)
[2022-CA-1524-MR](#)
[2022-CA-1526-MR](#)

LETCHER

Entered: FEBRUARY 13, 2023

DOMINION HOMES OF KENTUCKY, LTD v.
SCI FUNERAL SERVICES, INC.

[2020-CA-0417-MR](#)

JEFFERSON

Entered: FEBRUARY 13, 2023

BARRY MULLINS v.
PAUL DILLS

[2022-CA-0490-DG](#)

GRANT

Entered: FEBRUARY 09, 2023

KENTUCKY COURT OF APPEALS

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ORDERS DISMISSING

GREGORY BIRCHEM v.
KENTUCKY PAROLE BOARD

[2022-CA-1218-MR](#)

HOPKINS

Entered: FEBRUARY 13, 2023

ORDER DENYING MOTION FOR DISCRETIONARY REVIEW

CITY OF SHIVELY, KENTUCKY v.
ALCOHOLIC BEVERAGE CONTROL BOARD,
ET AL.

[2022-CA-1423-D](#)

JEFFERSON

Entered: FEBRUARY 14, 2023

ORDER DENYING PETITION FOR REHEARING

SABRINA HOBBS v.
HIGHLANDS HOSPITAL CORPORATION, ET AL.

[2022-CA-0096-MR](#)

FLOYD

Entered: FEBRUARY 14, 2023

ORDER DENYING MOTION FOR INTERLOCUTORY RELIEF

TOMMY COOK v.
CLARK COUNTY FISH & GAME CLUB, INC.

[2022-CA-1315-I](#)

CLARK

Entered: FEBRUARY 14, 2023

ORDER GRANTING PETITION FOR WRIT OF PROHIBITION

COM-SERV, LLC, D/B/A COMPONENT SUPPLY,
ET AL. v.
HON. CHARLES LOUIS CUNNINGHAM, JR.,
JUDGE, JEFFERSON CIRCUIT COURT, ET AL.

[2022-CA-1053-OA](#)

JEFFERSON

Entered: FEBRUARY 13, 2023

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDER AFFIRMING

JEFFERY CARPENTER v.
AMY ROBEY, WARDEN

[2023-CA-0047-ME](#)

OLDHAM

Entered: FEBRUARY 14, 2023

ORDER REMANDING

DANIEL R. CLEMANS v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0009-ME](#)

MEADE

Entered: FEBRUARY 14, 2023