

KENTUCKY COURT OF APPEALS

APRIL 23, 2021 MINUTES

RELEASED: 10:00 A.M.

268. ROBERT M. BRANT, ET AL. v. [2018-CA-1074-MR](#) MADISON
BRENDA TURPIN, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
ACREE**
- JONES, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS IN
RESULT ONLY AND FILES SEPARATE
OPINION)
269. WASTE SERVICES OF THE [2018-CA-1225-MR](#) SCOTT
BLUEGRASS, LLC; ET AL. v. [2018-CA-1226-MR](#)
SCOTT COUNTY BOARD OF [2018-CA-1240-MR](#)
ADJUSTMENT, ET AL. [2018-CA-1241-MR](#)
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
GOODWINE**
- KRAMER, J. (CONCURS) AND
MAZE, J. (CONCURS)
270. STEVEN THOMAS v. [2019-CA-0182-MR](#) HARDIN
STEPHANIE THOMAS **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
KRAMER**
- GOODWINE, J. (CONCURS) AND
JONES, J. (CONCURS)
271. TYRONE GLENN, ET AL. v. [2019-CA-0204-MR](#) JEFFERSON
AGNES MARIE MUCKER **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
TAYLOR**
- ACREE, J. (CONCURS) AND
KRAMER, J. (CONCURS)

KENTUCKY COURT OF APPEALS

APRIL 23, 2021 MINUTES

RELEASED: 10:00 A.M.

272. TERVANDA TOBIN v. COMMONWEALTH OF KENTUCKY [2019-CA-0606-DG](#) JEFFERSON
TO BE PUBLISHED
- OPINION REVERSING AND REMANDING BY JUDGE JONES**
- CALDWELL, J. (CONCURS) AND KRAMER, J. (CONCURS)
273. RICKY RAY DOWNEY v. RICHARD JAEHNIGEN [2019-CA-0693-MR](#) HENRY
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE LAMBERT**
- JONES, J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
274. LONNIE MARCUM v. COMMONWEALTH OF KENTUCKY [2019-CA-0734-MR](#) LAWRENCE
NOT TO BE PUBLISHED
- OPINION VACATING AND REMANDING BY JUDGE K. THOMPSON**
- ACREE, J. (CONCURS) AND CALDWELL, J. (CONCURS)
275. JOHN GASTINGER v. KENTUCKY STATE POLICE, RICHARD SAUNDERS, EX REL; ET AL. [2019-CA-0784-MR](#) FRANKLIN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE K. THOMPSON**
- MAZE, J. (CONCURS) AND TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

276. STEVEN COFFMAN v. [2019-CA-0787-MR](#) FAYETTE
OLLIE STEELE **NOT TO BE PUBLISHED**
- OPINION REVERSING AND
REMANDING BY JUDGE JONES**
- ACREE, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
277. MICHAEL SCOTT HARNEY v. [2019-CA-0863-MR](#) FAYETTE
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- MAZE, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
278. HBR MADISONVILLE, LLC v. [2019-CA-1397-MR](#) HOPKINS
LORI ATTEBURY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
ACREE**
- GOODWINE, J. (CONCURS) AND
JONES, J. (CONCURS)
279. ERIC JONES, ET AL. v. [2019-CA-1766-MR](#) MONTGOMERY
JENNIFER WRIGHT SMALLWOOD, AS **NOT TO BE PUBLISHED**
ADMINISTRATRIX OF THE ESTATE OF
RYAN ALAN SMALLWOOD,
DECEASED; ET AL.
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- CALDWELL, J. (CONCURS) AND
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

280. JOHN BYRNES v. [2019-CA-1790-MR](#) JEFFERSON
KENTUCKY FARM BUREAU
INSURANCE COMPANY
NOT TO BE PUBLISHED

**OPINION AND ORDER VACATING
AND REMANDING BY JUDGE
TAYLOR**

JONES, J. (CONCURS) AND
MAZE, J. (CONCURS)
281. JIM KING v. [2020-CA-0115-MR](#) JEFFERSON
BEVERAGE WAREHOUSE, LLC;
ET AL.
NOT TO BE PUBLISHED

**OPINION DISMISSING BY CHIEF
JUDGE CLAYTON**

GOODWINE, J. (CONCURS) AND
KRAMER, J. (CONCURS)
282. AMNEH KHATIB, ET AL. v. [2020-CA-0123-MR](#) FAYETTE
AUTOTRAKK, LLC
NOT TO BE PUBLISHED

**OPINION AFFIRMING BY JUDGE
DIXON**

CLAYTON, C.J. (CONCURS) AND
MAZE, J. (CONCURS)
283. RICHARD DEVORE v. [2020-CA-0229-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY,
KENTUCKY UNEMPLOYMENT
INSURANCE COMMISSION; ET AL.
NOT TO BE PUBLISHED

**OPINION AFFIRMING BY JUDGE
ACREE**

CLAYTON, C.J. (CONCURS) AND
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

284. BOWIE REFINED COAL, LLC v. [2020-CA-0449-MR](#) FRANKLIN
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**
ENERGY AND ENVIRONMENT
CABINET
**OPINION AFFIRMING BY JUDGE
GOODWINE**
JONES, J. (CONCURS) AND
KRAMER, J. (CONCURS)
285. J.E.H. v. [2020-CA-0566-ME](#) JEFFERSON
S.L.I., ET AL. **NOT TO BE PUBLISHED**
**OPINION VACATING BY JUDGE
ACREE**
CALDWELL, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
286. MARTIN JONES v. [2020-CA-0577-MR](#) KENTON
THOMAS BEIERLEIN **NOT TO BE PUBLISHED**
**OPINION AFFIRMING BY JUDGE
MAZE**
GOODWINE, J. (CONCURS) AND
KRAMER, J. (CONCURS)
287. CAPITAL ONE BANK (USA), N.A. v. [2020-CA-0666-MR](#) TRIGG
DONALD RAY MCWATERS, ET AL. **NOT TO BE PUBLISHED**
**OPINION AFFIRMING BY JUDGE
ACREE**
MCNEILL, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

288. LAURA BURTON v. [2020-CA-0877-MR](#) FAYETTE
NLP PARK PLACE, LLC; ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
L. THOMPSON**
- CLAYTON, C.J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
289. KIMBERLY STEWART v. [2020-CA-0949-MR](#) JEFFERSON
CARDIOVASCULAR SPECIALISTS,
P.S.C.; ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
DIXON**
- ACREE, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
290. C.M.T. v. [2020-CA-1269-ME](#) MCCRACKEN
COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND FAMILY
SERVICES; ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
MAZE**
- GOODWINE, J. (CONCURS) AND
KRAMER, J. (CONCURS)
291. COMMONWEALTH OF KENTUCKY, [2020-CA-1336-ME](#) BULLITT
CABINET FOR HEALTH AND FAMILY [2020-CA-1342-ME](#)
SERVICES v. [2020-CA-1343-ME](#)
K.T., A CHILD; ET AL. **TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
MAZE**
- CLAYTON, C.J. (CONCURS) AND
DIXON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

292. N.Y. v. [2020-CA-1458-ME](#) FAYETTE
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**
CABINET FOR HEALTH AND FAMILY
SERVICES; ET AL.

**OPINION AFFIRMING BY JUDGE
MAZE**

GOODWINE, J. (CONCURS) AND
KRAMER, J. (CONCURS)

ORDERS DISMISSING

CHRISTOPHER MCCORMICK v. [2020-CA-0939-MR](#) WARREN
COMMONWEALTH OF KENTUCKY

Entered: APRIL 14, 2021

JOSEPH W. ANDERSON v. [2020-CA-1028-MR](#) CALDWELL
COMMONWEALTH OF KENTUCKY

Entered: APRIL 14, 2021

CAROL LYNN DOTSON v. [2020-CA-1041-MR](#) TAYLOR
COMMONWEALTH OF KENTUCKY

Entered: APRIL 14, 2021

WILLIAM BURTON v. [2020-CA-1125-MR](#) MASON
COMMONWEALTH OF KENTUCKY

Entered: APRIL 14, 2021

WILLIAM BURTON v. [2020-CA-1140-MR](#) FLEMING
COMMONWEALTH OF KENTUCKY [2020-CA-1141-MR](#)

Entered: APRIL 14, 2021

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

CORY BURKEEN v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1379-MR](#)

CALLOWAY

Entered: APRIL 14, 2021

BOBBY SPURLOCK v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1491-MR](#)

LAWRENCE

Entered: APRIL 14, 2021

BEN W. RICHARD, JR. v.
COMMONWEALTH OF KENTUCKY

[2020-CA-0371-MR](#)

JEFFERSON

Entered: APRIL 14, 2021

DONALD RAY VIOLETT v.
JOHN R. GRISE

[2021-CA-0122-OA](#)

WARREN

Entered: APRIL 19, 2021

SIDNEY SWEENEY v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0046-MR](#)

BELL

Entered: APRIL 14, 2021

ORDERS DENYING PETITIONS FOR REHEARING

LAUREN SAVAGE, INDIVIDUALLY; ET AL. v.
ALLSTATE INSURANCE COMPANY, ET AL.

[2017-CA-0615-MR](#)

JEFFERSON

Entered: APRIL 15, 2021

LAMONTE AKIO WILLIAMS v.
COMMONWEALTH OF KENTUCKY

[2019-CA-0164-MR](#)

FAYETTE

Entered: APRIL 15, 2021

KENTUCKY COURT OF APPEALS

APRIL 23, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR REHEARING

DERWIN NICKELBERRY v.
COMMONWEALTH OF KENTUCKY

[2019-CA-0626-MR](#)

JEFFERSON

Entered: APRIL 15, 2021

DAN GIBSON v.
RON JONES, INDIVIDUALLY; ET AL.

[2019-CA-1847-MR](#)

PULASKI

Entered: APRIL 20, 2021

ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS OR PROHIBITION

AMOS BURDETTE v.
HON. JEREMY MATTOX, SCOTT CIRCUIT
COURT JUDGE

[2020-CA-0103-OA](#)

SCOTT

Entered: APRIL 15, 2021

JUSTIN KEITH v.
KENT HENDRICKSON, JUDGE

[2020-CA-1036-OA](#)

HARLAN

Entered: APRIL 14, 2021

JOHN GOBLE v.
JEREMY MICHAEL MATTOX, JUDGE

[2020-CA-1455-OA](#)

SCOTT

Entered: APRIL 14, 2021

JESUS PUCALEL v.
HON. AUDRA J. ECKERLE, JUDGE

[2020-CA-1456-OA](#)

JEFFERSON

Entered: APRIL 15, 2021

ALAN HUMMEL v.
GREGORY M. BARTLETT

[2020-CA-1475-OA](#)

KENTON

Entered: APRIL 14, 2021

KENTUCKY COURT OF APPEALS

APRIL 23, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS OR PROHIBITION

NORGE PEREZ FERNANDEZ v. [2020-CA-1493-OA](#) JEFFERSON
HON. AUDRA J. ECKERLE, JUDGE

Entered: APRIL 14, 2021

BEN RICHARDS, JR. v. [2020-CA-0771-OA](#) JEFFERSON
HON. AUDRA J. ECKERLE, JUDGE, JEFFERSON
CIRCUIT COURT

Entered: APRIL 14, 2021

MICHAEL L. DENNISON v. [2020-CA-0869-OA](#) JEFFERSON
CHARLES L. CUNNINGHAM, JR., JUDGE

Entered: APRIL 14, 2021

ORDERS AFFIRMING

STEVEN JOHNSON v. [2021-CA-0070-ME](#) OLDHAM
SCOTT JORDAN, WARDEN

Entered: APRIL 14, 2021

DEIDRE DAVIDSON v. [2021-CA-0015-ME](#) SCOTT
COMMONWEALTH OF KENTUCKY

Entered: APRIL 20, 2021

TYRELL L. MILLER v. [2021-CA-0209-ME](#) JEFFERSON
COMMONWEALTH OF KENTUCKY

Entered: MARCH 31, 2021