KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

240.	FRANK ALEXANDER, II, ET AL. v. LOUISVILLE METRO HISTORIC LANDMARKS AND PRESERVATION DISTRICTS COMMISSION, ET AL. **OPINION AFFIRMING BY JUDGE MCNEILL** COMBS, J. (CONCURS) AND LAMBERT, J. (CONCURS)	2022-CA-0160-MR **NOT TO BE PUBLISHED**	JEFFERSON
241.	SUZANNE RANDAL DAUES (FORMERLY KNOWN AS MARY SUZANNE DAUES) v. BAILEY FOSTER, INDIVIDUALLY AND AS BENEFICIARY OF THE RANDAL FAMILY TRUST, ET AL. **OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE A. JONES** THOMPSON, C.J. (CONCURS) AND LAMBERT, J. (CONCURS)	2023-CA-0444-MR **NOT TO BE PUBLISHED**	WOODFORD
242.	WILLIAM JAMES SMITH, II v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE ACREE** CALDWELL, J. (CONCURS) AND LAMBERT, J. (CONCURS)	2023-CA-0674-MR **NOT TO BE PUBLISHED**	HARDIN
243.	KEVIN LAMONT FRANKLIN v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE A. JONES** THOMPSON, C.J. (CONCURS) AND LAMBERT, J. (CONCURS)	2023-CA-0696-MR **NOT TO BE PUBLISHED**	JEFFERSON

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

244.	ELLIS D. GORE v. COMMONWEALTH OF KENTUCKY **OPINION REVERSING AND REMANDING BY JUDGE LAMBERT** CETRULO, J. (CONCURS) AND COMBS, J. (CONCURS)	2023-CA-1107-MR **TO BE PUBLISHED**	JEFFERSON
245.	LACEY JO KABEL v. BENJAMIN THOMAS KABEL **OPINION AFFIRMING BY JUDGE ACREE** EASTON, J. (CONCURS) AND MCNEILL, J. (CONCURS)	2023-CA-1180-MR **NOT TO BE PUBLISHED**	PULASKI
246.	DARRIN ROSE v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE ACREE** THOMPSON, C.J. (CONCURS) AND CALDWELL, J. (CONCURS)	2023-CA-1232-MR **NOT TO BE PUBLISHED**	BOYD
247.	GREGORY HIGGS v. ASHLEY SUSAN HIGGS **OPINION AFFIRMING BY JUDGE ACREE** KAREM, J. (CONCURS) AND LAMBERT, J. (CONCURS)	2023-CA-1339-MR **NOT TO BE PUBLISHED**	JEFFERSON

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

248.	DARRYL MILLER v. JAMES M. HART, JR. AS TRUSTEE OF THE MARCELINE T. HART TRUST AND JAMES BRENT HART **OPINION AFFIRMING BY JUDGE KAREM** EASTON, J. (CONCURS) AND ECKERLE, J. (CONCURS)	2023-CA-1438-MR **NOT TO BE PUBLISHED**	JEFFERSON
249.	CHARLES G. MIDDLETON, III, ET AL. v. STOCK YARDS BANK & TRUST COMPANY (AS SUCCESSOR TO COMMONWEALTH BANK & TRUST COMPANY) IN ITS CAPACITY AS SUCCESSOR TRUSTEE FOR THE LAWRENCE L. JONES, SR. TRUST UNDER AGREEMENT DATED DECEMBER 28, 1933, ET AL. **OPINION AFFIRMING BY JUDGE ACREE** CETRULO, J. (CONCURS) AND TAYLOR, J. (CONCURS)	2024-CA-0153-MR **NOT TO BE PUBLISHED**	JEFFERSON
250.	DARIAN R. CLAY v. MARICARMEN RIVERA **OPINION AFFIRMING BY JUDGE ACREE** KAREM, J. (CONCURS) AND LAMBERT, J. (CONCURS)	2024-CA-0173-MR **NOT TO BE PUBLISHED**	OLDHAM

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

251.	DARIUS HARRIS v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE L. JONES** EASTON, J. (CONCURS) AND MCNEILL, J. (CONCURS)	2024-CA-0290-MR **NOT TO BE PUBLISHED**	KENTON
252.	COMMONWEALTH OF KENTUCKY v. BENJAMIN E. SHROYER **OPINION AFFIRMING BY JUDGE CALDWELL** THOMPSON, C.J. (CONCURS) AND L. JONES, J. (CONCURS)	2024-CA-0294-MR **TO BE PUBLISHED**	ADAIR
253.	RITA R. WHITE, ET AL. v. TIARA M. FOWLER, ET AL. **OPINION VACATING AND REMANDING BY JUDGE KAREM** THOMPSON, C.J. (CONCURS) AND TAYLOR, J. (CONCURS)	2024-CA-0322-MR **TO BE PUBLISHED**	JEFFERSON
254.	WILLIAM JEFFREY JACKSON v. BAPTIST HEALTHCARE SYSTEM, INC., D/B/A BAPTIST HEALTH LOUISVILLE, ET AL. **OPINION AFFIRMING BY JUDGE ACREE** COMBS, J. (CONCURS) AND ECKERLE, J. (CONCURS)	2024-CA-0453-MR **NOT TO BE PUBLISHED**	JEFFERSON

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

255.	A.W. v. R.R.G.W., A CHILD, ET AL. **AND** A.W. v. R.R.E.W., A MINOR CHILD, ET AL. **AND** A.W. v. J.W.M.W., A MINOR CHILD, ET AL. **AND** A.W. v. R.C.A.W., A MINOR CHILD, ET AL. **OPINION AFFIRMING BY JUDGE ACREE** CALDWELL, J. (CONCURS) AND LAMBERT, J. (CONCURS)	2024-CA-0555-ME 2024-CA-0561-ME 2024-CA-0562-ME 2024-CA-0563-ME **NOT TO BE PUBLISHED**	PULASKI
256.	M.H. v. J.S., ET AL. **OPINION AFFIRMING BY JUDGE CETRULO** ACREE, J. (CONCURS) AND TAYLOR, J. (CONCURS IN RESULT ONLY)	2024-CA-0749-ME 2024-CA-0750-ME **NOT TO BE PUBLISHED**	KENTON
257.	CHRISTY LYNN COCANOUGHER v. DAVID LYNN MURPHY **OPINION AFFIRMING BY JUDGE EASTON** THOMPSON, C.J. (CONCURS) AND A. JONES, J. (CONCURS)	2024-CA-0752-MR **NOT TO BE PUBLISHED**	METCALFE

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

258.	KELLY PORTER v. AXELON, INC., ET AL. **OPINION AFFIRMING BY CHIEF JUDGE THOMPSON** KAREM, J. (CONCURS) AND TAYLOR, J. (CONCURS)	2024-CA-1030-WC **NOT TO BE PUBLISHED**	WORKERS' COMPENSATION BOARD
259.	KOURTNEY GALLOWAY v. MARKEA BIVENS **OPINION AFFIRMING BY CHIEF JUDGE THOMPSON** EASTON, J. (CONCURS) AND ECKERLE, J. (CONCURS)	2024-CA-1043-MR **NOT TO BE PUBLISHED**	JEFFERSON
260.	M.F. v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. **OPINION AFFIRMING BY JUDGE L. JONES** CALDWELL, J. (CONCURS) AND EASTON, J. (CONCURS)	2024-CA-1127-ME **NOT TO BE PUBLISHED**	FAYETTE
261.	JEREMY STARR v. GRAYBAR ELECTRIC, ET AL. **OPINION REVERSING AND REMANDING BY JUDGE CETRULO** CALDWELL, J. (CONCURS) AND A. JONES, J. (CONCURS)	2024-CA-1421-WC **TO BE PUBLISHED**	WORKERS' COMPENSATION BOARD

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDER GRANTING MOTION TO PUBLISH OPINION

KENTUCKY PUBLIC PENSIONS AUTHORITY, ET AL. v. BRIAN SWINT	2023-CA-1252-MR	FRANKLIN

Entered: MAY 2, 2025

ORDER MODIFYING OPINION

KENTUCKY CONSTABLES ASSOCIATION, INC., ET AL. v. KENTUCKY DEPARTMENT OF CORRECTIONS CRIMINAL JUSTICE TRAINING, ET AL.	2024-CA-0186-MR	FRANKLIN

Entered: APRIL 30, 2025

ORDERS DISMISSING

AARON LITTLE v. GE APPLIANCES, A HAIER COMPANY, ET AL.	2024-CA-1147-MR	JEFFERSON

Entered: APRIL 28, 2025

SUSAN STONE v. DARREL GRIMES	2024-CA-1525-ME	JEFFERSON

Entered: APRIL 24, 2025

BAHA QASHOU (NOW KNOWN AS BRAD QASHOU) v. AMAL ALSHAREEF	2024-CA-1561-MR	PULASKI

Entered: APRIL 28, 2025

REGINALD GARDNER v. COMMONWEALTH OF KENTUCKY	2025-CA-0039-MR	KENTON

Entered: APRIL 29, 2025

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

GERMAN-PARISTOWN NEIGHBORHOOD ASSOCIATION, ET AL. v. JEFFERSON COUNTY, KENTUCKY CAPITAL PROJECTS CORPORATION, ET AL.	2025-CA-0255-MR	JEFFERSON

Entered: APRIL 25, 2025

CHRISTINA SWOFFORD v. OPTION CARE ENTERPRISES, INC.	2025-CA-0265-MR	KENTON

Entered: APRIL 25, 2025

SHAUN POOLE v. MORIAH BAGWELL	2025-CA-0361-MR	CALLOWAY

Entered: APRIL 25, 2025

DAVID ANDREW SIMS, III v. COMMONWEALTH OF KENTUCKY	2025-CA-0090-MR	GRAVES

Entered: APRIL 28, 2025

J.M.M. v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL.	2025-CA-0189-ME 2025-CA-0190-ME	FAYETTE

Entered: APRIL 28, 2025

BRIAN T. BATEY v. SCOTT JORDAN, ET AL.	2025-CA-0281-MR	LYON

Entered: APRIL 25, 2025

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

LSR LTD 2, LLC D/B/A R & B ROOFING D/B/A R & B ROOFING AND HOME IMPROVEMENT D/B/A R & B ROOFING AND REMODELING v. RICHARD WATSON	2024-CA-0888-MR	JEFFERSON

Entered: APRIL 24, 2025

TARA GOODMAN v. COMMONWEALTH OF KENTUCKY	2025-CA-0089-MR	FULTON

Entered: APRIL 28, 2025

ORDER DENYING PETITION FOR REHEARING

SAMMIE ALLAN DYKES v. CLOYD JEFFREY BUMGARDNER	2024-CA-0534-MR	PULASKI

Entered: APRIL 25, 2025

ORDERS DENYING MOTIONS FOR DISCRETIONARY REVIEW

WILLIAM BRIAN ZAHARIE v. COMMONWEALTH OF KENTUCKY	2024-CA-1028-D	MONTGOMERY

Entered: APRIL 25, 2025

RENEE ANN ZAHARIE v. COMMONWEALTH OF KENTUCKY	2024-CA-1029-D	MONTGOMERY

Entered: APRIL 25, 2025

A.B.B., A CHILD UNDER THE AGE OF EIGHTEEN v. COMMONWEALTH OF KENTUCKY	2025-CA-0188-D	CALDWELL

Entered: APRIL 28, 2025

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDER AFFIRMING

PRESTON D. TROUPE v. ANDY BESHEAR, ET AL.	2025-CA-0382-ME	FRANKLIN

Entered: APRIL 25, 2025

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

RICHARD A. PEZZINO, ET AL. v. HON. ERIC JOSEPH HANER, JUDGE, JEFFERSON CIRCUIT COURT, ET AL.	2025-CA-0064-OA	JEFFERSON

Entered: APRIL 25, 2025

ORDERS DENYING PETITIONS FOR WRIT OF PROHIBITION

SAINT ELIZABETH MEDICAL CENTER, INC. v. HON. PATRICIA M. SUMME, JUDGE, KENTON CIRCUIT COURT, ET AL. **AND** SUMMIT MEDICAL GROUP, INC. D/B/A ST. ELIZABETH PHYSICIANS, ET AL. v. HON. PATRICIA M. SUMME, JUDGE, KENTON CIRCUIT COURT, ET AL.	2024-CA-1386-OA 2024-CA-1389-OA	KENTON

Entered: APRIL 25, 2025

LISA ANN ELLISTON WEBB v. HON. KIMBERLY BLAIR WALSON, JUDGE, MADISON CIRCUIT COURT, ET AL.	2025-CA-0041-OA	MADISON

Entered: APRIL 29, 2025

KENTUCKY COURT OF APPEALS

MAY 02, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS GRANTING PETITIONS FOR WRIT OF MANDAMUS

ANTONIO SALLEE v. HON. JOHN L. ATKINS, JUDGE, CHRISTIAN CIRCUIT COURT, ET AL.	2024-CA-1158-OA	CHRISTIAN

Entered: APRIL 25, 2025

MARK DUNGAN v. HON. DANIEL L. BALLOU, JUDGE, MCCREARY CIRCUIT COURT, ET AL.	2024-CA-1191-OA	MCCREARY

Entered: APRIL 28, 2025

LESLIE P. WILLIAMS v. HON. TIMOTHY A. LANGFORD, JUDGE, CARLISLE CIRCUIT COURT, ET AL.	2024-CA-1151-OA	CARLISLE

Entered: APRIL 29, 2025