

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

331. JAN M. CURRIN, ET AL. v. [2018-CA-0075-MR](#) BOONE
ESTATE OF JOHN C. BENTON, JR., BY **NOT TO BE PUBLISHED**
MARY R. MARCUM AS EXECUTOR
OPINION AFFIRMING BY JUDGE JONES
CLAYTON, C.J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
332. ROBERT SCHIERER v. [2019-CA-0477-MR](#) KENTON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE MAZE
CLAYTON, C.J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
333. KEVIN NEAL v. [2019-CA-0554-MR](#) MCCRACKEN
TONYA A. NEAL **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE JONES
LAMBERT, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
334. BOBBY SEVERE v. [2019-CA-1126-MR](#) CUMBERLAND
BILLY HUFF, ET AL. **NOT TO BE PUBLISHED**
OPINION AFFIRMING BY JUDGE MAZE
JONES, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

335. MICHAEL HOWARD v. COMMONWEALTH OF KENTUCKY [2019-CA-1377-MR](#) NICHOLAS
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE ACREE
CALDWELL, J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
336. JOSEPHINE MCCLURE, INDIVIDUALLY, AS ADMINISTRATRIX OF THE ESTATE OF JAMES E. MCLURE AND AS ADMINISTRATRIX OF THE ESTATE OF CHARLES MCCLURE; ET AL. v. MCCLURE CORPORATION, ET AL. [2019-CA-1496-MR](#) RUSSELL
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE DIXON
ACREE, J. (CONCURS) AND MCNEILL, J. (CONCURS)
337. SOUTHPOINTE PARTNERS, LLC v. LOUISVILLE METRO GOVERNMENT, ET AL. [2019-CA-1784-MR](#) JEFFERSON
[2020-CA-0195-MR](#)
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE JONES
LAMBERT, J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
338. ZAHRA SUN v. J.P. MORGAN CHASE BANK, N.A.; ET AL. [2019-CA-1891-MR](#) WARREN
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE DIXON
CLAYTON, C.J. (CONCURS) AND MAZE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

339. DANIEL DEKALB v. [2019-CA-1918-MR](#) OLDHAM
KELLY DEKALB **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE CALDWELL**
- MCNEILL, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
340. DEANE MINING, LLC v. [2019-CA-1922-MR](#) FAYETTE
THE ELK HORN COAL COMPANY, LLC **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE JONES**
- ACREE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
341. ROBERT RAGLE v. [2020-CA-0144-MR](#) WARREN
LOUISVILLE ROAD VENTURES, LLC; **NOT TO BE PUBLISHED**
ET AL.
- OPINION AFFIRMING BY JUDGE LAMBERT**
- COMBS, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
342. RANDALL PRICE v. [2020-CA-0166-MR](#) KENTON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE CALDWELL**
- COMBS, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

343. SALYERSVILLE NATIONAL BANK v. BRANDON RUSSELL, ET AL. [2020-CA-0208-MR](#) MAGOFFIN
TO BE PUBLISHED
- OPINION REVERSING AND REMANDING BY JUDGE MAZE**
- CALDWELL, J. (CONCURS) AND KRAMER, J. (CONCURS)
344. VIVIANE RENOT v. SECURA SUPREME INSURANCE COMPANY [2020-CA-0227-MR](#) FAYETTE
[2020-CA-0541-MR](#)
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY CHIEF JUDGE CLAYTON**
- ACREE, J. (CONCURS) AND TAYLOR, J. (CONCURS)
345. DELORES ZEPEDA v. CENTRAL MOTORS, INC. [2020-CA-0650-MR](#) SCOTT
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE MAZE**
- GOODWINE, J. (CONCURS) AND MCNEILL, J. (CONCURS)
346. NECCO, LLC v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES [2020-CA-0732-MR](#) HARDIN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE L. THOMPSON**
- JONES, J. (CONCURS) AND MAZE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

347. KY MOTEL, INC. v. [2020-CA-0747-MR](#) MCCRACKEN
KENTUCKY OAKS MALL COMPANY, **NOT TO BE PUBLISHED**
LTD; ET AL.
- OPINION AFFIRMING BY JUDGE
COMBS**
- LAMBERT, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
348. T.E.C. v. [2020-CA-1063-ME](#) WEBSTER
COMMONWEALTH OF KENTUCKY, [2020-CA-1064-ME](#)
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES; ET AL.
- OPINION AFFIRMING BY JUDGE
ACREE**
- CALDWELL, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
349. JEFFERY ALLEN MORRIS v. [2020-CA-1195-MR](#) PULASKI
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
JONES**
- MAZE, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
350. KENNETH ANDREW ISAACS v. [2020-CA-1270-ME](#) FAYETTE
JENNIFER LYNETTE MCCLURE **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
JONES**
- CALDWELL, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

351. C.S.R. v. [2020-CA-1306-ME](#) CAMPBELL
M.K.B., ET AL. **NOT TO BE PUBLISHED**

**OPINION REVERSING AND
REMANDING BY JUDGE DIXON**

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

352. COMMONWEALTH OF KENTUCKY, [2020-CA-1529-ME](#) CLARK
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES, EX REL., CHILD SUPPORT
ENFORCEMENT v.
B.N.T., ET AL.

**OPINION AFFIRMING BY JUDGE
L. THOMPSON**

JONES, J. (CONCURS IN RESULT AND
FILES SEPARATE OPINION) AND
MAZE, J. (CONCURS IN RESULT AND
FILES SEPARATE OPINION)

353. F.J.B. v. [2020-CA-1546-ME](#) BOONE
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES, COMMONWEALTH OF
KENTUCKY; ET AL.

**OPINION AFFIRMING BY JUDGE
KRAMER**

COMBS, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)

ORDERS DISMISSING

EDWARD T. SAAD v.
ALINE ABTOUR SAAD

[2019-CA-0917-MR](#)
[2019-CA-1127-MR](#)

FAYETTE

Entered: MAY 07, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

LOUISE BATCHELOR v.
CHRIS PULLEM, PERSONALLY AND
PROFESSIONALLY; ET AL.

[2019-CA-1130-MR](#)

BOYD

Entered: MAY 07, 2021

ROBERT LEO RITCHIE v.
TONYA LEE RITCHIE

[2020-CA-0292-MR](#)

NELSON

Entered: MAY 07, 2021

C.A. v.
K.C.

[2020-CA-0536-ME](#)

JEFFERSON

Entered: MAY 06, 2021

COMMONWEALTH OF KENTUCKY, CABINET
FOR HEALTH AND FAMILY SERVICES; ET AL.
v.
KINDRED HEALTHCARE, INC.

[2020-CA-0683-MR](#)
[2020-CA-0785-MR](#)

FRANKLIN

Entered: MAY 07, 2021

JOHNNY RIGGS v.
UNITED PRODUCERS, INC.; ET AL.

[2020-CA-0706-WC](#)

WORKERS'
COMPENSATION
BOARD

Entered: MAY 07, 2021

JORDAN HIBBITTS, ET AL. v.
LARRY R. HIBBITTS, ET AL.

[2020-CA-0908-MR](#)

LAUREL

Entered: MAY 07, 2021

DENISE (HELM) MARKS, ET AL. v.
RHETT JONES

[2020-CA-1082-MR](#)

HART

Entered: MAY 07, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

PRESBYTERIAN CHURCH (U.S.A.),
A CORPORATION v.
REV. ERIC HOEY, ET AL.

[2020-CA-1168-MR](#)

JEFFERSON

Entered: MAY 07, 2021

G.A.A., SR.; ET AL. v.
CABINET FOR HEALTH AND FAMILY
SERVICES, COMMONWEALTH OF KENTUCKY

[2020-CA-1194-ME](#)
[2020-CA-1196-ME](#)

FAYETTE

Entered: MAY 07, 2021

T.K.F. v.
COMMONWEALTH OF KENTUCKY, CABINET
FOR HEALTH AND FAMILY SERVICES

[2020-CA-1197-ME](#)
[2020-CA-1198-ME](#)

FAYETTE

Entered: MAY 07, 2021

ABD'AL-AZEEZ JALAL HAKIM v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1317-MR](#)

MONTGOMERY

Entered: MAY 06, 2021

VIRGINIA BROOKS v.
ROBERT HAMMONS

[2020-CA-1484-MR](#)

LINCOLN

Entered: MAY 07, 2021

G.H. v.
THE CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.

[2020-CA-1540-ME](#)

JEFFERSON

Entered: MAY 07, 2021

A.P.B. v.
W.M.M., JR.

[2021-CA-0104-ME](#)

CALDWELL

Entered: MAY 06, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

NICHOLAS CORRY v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0173-ME](#)

CAMPBELL

Entered: MAY 06, 2021

MICHAEL LEMONT DAVIS v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1464-MR](#)

DAVISS

Entered: MAY 06, 2021

DAVID JAMES STANLEY, JR. v.
CONNIE CARTER

[2020-CA-1521-MR](#)

FAYETTE

Entered: MAY 07, 2021

ROBERT PUGH, ET AL. v.
WHITAKER BANK, INC.

[2020-CA-1613-MR](#)

LETCHER

Entered: MAY 07, 2021

BRIAN ANDERSON, D.C. v.
STATE FARM

[2021-CA-0005-MR](#)

JEFFERSON

Entered: MAY 10, 2021

ROBERT PUGH, ET AL. v.
COMMUNITY TRUST BANK, INC.

[2021-CA-0048-MR](#)

LETCHER

Entered: MAY 07, 2021

MARK JOSEPH SMITH v.
BRIAN ANDERSON

[2021-CA-0053-MR](#)

JEFFERSON

Entered: MAY 10, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

CHRIS EVITTS v.
CAROL NICHOLS, ET AL.

[2021-CA-0239-MR](#)

HOPKINS

Entered: MAY 10, 2021

TIFFANY NICOLE HODGES v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0258-MR](#)

HARDIN

Entered: MAY 10, 2021

ANGELA TUCKER v.
KENTUCKY RETIREMENT SYSTEMS BOARD
OF TRUSTEES OF KENTUCKY RETIREMENT
SYSTEMS

[2019-CA-1542-MR](#)

FRANKLIN

Entered: MAY 07, 2021

ANTWON FRENCH v.
CELIA RUBIO

[2021-CA-0069-MR](#)

FAYETTE

Entered: MAY 07, 2021

KENNETH W. BRIAN v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1221-MR](#)

BULLITT

Entered: MAY 10, 2021

KYUNG HONG v.
SARAH KIM

[2019-CA-0718-ME](#)

JEFFERSON

Entered: MAY 07, 2021

JAMES D. BREWER v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1002-MR](#)

PERRY

Entered: MAY 07, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

JIMMY D. YOKELY v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1079-MR](#)

CHRISTIAN

Entered: MAY 07, 2021

MARK LITTLE, TRUSTEE FOR THE
DEFENDANT, BARRY LITTLEPAGE v.
THE PADUCAH BANK AND TRUST COMPANY,
ET AL.

[2020-CA-1128-MR](#)

MCCRACKEN

Entered: MAY 07, 2021

GWENEVER BOYD v.
HILTON KENNEDY COMPANY, LLC

[2020-CA-1320-MR](#)

JEFFERSON

Entered: MAY 10, 2021

RONNIE DALE NEELEY v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0273-ME](#)

FRANKLIN

Entered: MAY 07, 2021

COURTNEY SMITH (F/K/A SLATER) v.
MITZI LEE, ET AL.

[2020-CA-0169-ME](#)

GRAVES

Entered: MAY 06, 2021

ROBERT STIVERS, II, IN HIS OFFICIAL
CAPACITY AS PRESIDENT OF THE SENATE
OF THE COMMONWEALTH OF KENTUCKY;
ET AL. v.
ANDY BESHEAR, IN HIS OFFICIAL CAPACITY
AS GOVERNOR OF THE COMMONWEALTH OF
KENTUCKY

[2020-CA-1127-MR](#)

FRANKLIN

Entered: MAY 07, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

A.A. v.
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.

[2020-CA-1133-ME](#)

JESSAMINE

Entered: MAY 07, 2021

HEIDI MARTIN MCCAIN v.
DANNY NEAL MCCARTY

[2020-CA-1169-MR](#)

DAVISS

Entered: MAY 10, 2021

STANDAFER AND SONS v.
LEONARD BARNES

[2020-CA-1291-MR](#)

JEFFERSON

Entered: MAY 07, 2021

COMMONWEALTH OF KENTUCKY, CABINET
FOR HEALTH AND FAMILY SERVICES,
DEPARTMENT FOR MEDICAID SERVICES v.
GRACE COMMUNITY HEALTH CENTER, INC.

[2020-CA-1380-MR](#)

WHITLEY

Entered: MAY 07, 2021

ANTWON FRANCOIS FRENCH v.
CELIA MAE RUBIO

[2021-CA-0057-ME](#)

FAYETTE

Entered: MAY 07, 2021

JAMES MARVIN CONIGLIO, JR. v.
CAITLIN BRIANA DANIELE

[2020-CA-1144-ME](#)

EDMONSON

Entered: MAY 07, 2021

R.H. v.
COMMONWEALTH OF KENTUCKY, CABINET
FOR HEALTH AND FAMILY SERVICES; ET AL.

[2020-CA-1353-ME](#)

BOONE

Entered: MAY 07, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

RUBEN RIOS SALINAS v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0078-MR](#)

FAYETTE

Entered: MAY 07, 2021

JEFFREY COFFEY v.
KENTUCKY PAROLE BOARD

[2020-CA-1350-MR](#)

FRANKLIN

Entered: MAY 10, 2021

ORDER DENYING PETITION FOR REHEARING

JAMES HARRISON v.
CATHERINE WEICHT, ET AL.

[2019-CA-1664-MR](#)

FRANKLIN

Entered: MAY 10, 2021

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION

JAMES LANG v.
HON. BARRY WILLETT, JUDGE

[2020-CA-1477-OA](#)

JEFFERSON

Entered: MAY 06, 2021

JAMES LANG v.
HON. AUDRA ECKERLE, JUDGE

[2020-CA-1478-OA](#)

JEFFERSON

Entered: MAY 06, 2021

KENNETH RYAN PAYNE v.
HON. JAY A. WETHINGTON, JUDGE

[2021-CA-0074-OA](#)

DAVISS

Entered: MAY 06, 2021

KENTUCKY COURT OF APPEALS

MAY 14, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDER GRANTING PETITION FOR WRIT OF PROHIBITION AND DENYING PETITION FOR WRIT OF MANDAMUS

TRACIE L. RAMSEY, INDIVIDUALLY, ET AL. v.
HON. ANDREW SELF, JUDGE

[2020-CA-1454-OA](#)

HOPKINS

Entered: MAY 06, 2021

ORDER DENYING MOTION FOR BELATED APPEAL

JAY H. BEESON v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0266-MR](#)

HENDERSON

Entered: MAY 07, 2021