

KENTUCKY COURT OF APPEALS

JULY 09, 2021 MINUTES

RELEASED: 10:00 A.M.

451. JAMES R. THOMAS v. COMMONWEALTH OF KENTUCKY [2017-CA-0714-MR](#) OWEN  
**NOT TO BE PUBLISHED**  
**OPINION REVERSING AND REMANDING BY JUDGE CALDWELL**  
JONES, J. (CONCURS) AND TAYLOR, J. (CONCURS)
452. KATELYN TRAPP JOHNSON v. THE ESTATE OF CHASE MATTHEW TRAPP KNAPP BY MATTHEW KNAPP, ET AL. [2019-CA-0902-MR](#) BOONE  
**TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE K. THOMPSON**  
MAZE, J. (CONCURS) AND TAYLOR, J. (CONCURS)
453. JAMES HALLON SHELL v. COMMONWEALTH OF KENTUCKY [2019-CA-0985-MR](#) CASEY  
**NOT TO BE PUBLISHED**  
**OPINION REVERSING AND REMANDING BY JUDGE L. THOMPSON**  
CALDWELL, J. (CONCURS) AND DIXON, J. (CONCURS)
454. SHERMAN DEJUAN DAVIS v. COMMONWEALTH OF KENTUCKY [2019-CA-1655-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE L. THOMPSON**  
CALDWELL, J. (CONCURS) AND DIXON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JULY 09, 2021 MINUTES

RELEASED: 10:00 A.M.

455. J.J.R. v. [2019-CA-1724-ME](#) CHRISTIAN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
CABINET FOR HEALTH AND FAMILY  
SERVICES; ET AL.
- OPINION AFFIRMING BY JUDGE  
CALDWELL**
- JONES, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
456. DUSTIN C. BEARD v. [2020-CA-0037-MR](#) FRANKLIN  
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**  
SERVICES
- OPINION AFFIRMING IN PART,  
VACATING IN PART, AND  
REMANDING BY JUDGE JONES**
- CALDWELL, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
457. M.A.C. v. [2020-CA-0087-ME](#) CLARK  
E.A.; ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
MAZE**
- K. THOMPSON, J. (CONCURS) AND  
TAYLOR, J. (CONCURS IN RESULT  
ONLY)
458. JAMES M. AUBREY v. [2020-CA-0130-MR](#) HARDIN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
LAMBERT**
- ACREE, J. (CONCURS) AND  
CALDWELL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JULY 09, 2021 MINUTES

RELEASED: 10:00 A.M.

459. CENTURY ALUMINUM OF KENTUCKY, [2020-CA-0301-MR](#) FRANKLIN  
GP v. **NOT TO BE PUBLISHED**  
DEPARTMENT OF REVENUE,  
FINANCE AND ADMINISTRATION  
CABINET COMMONWEALTH OF  
KENTUCKY  
**OPINION AFFIRMING BY JUDGE  
MAZE**  
JONES, J. (CONCURS) AND  
TAYLOR, J. (DISSENTS AND DOES  
NOT FILE A SEPARATE OPINION)
460. PROVIDENCE HILL, LLC v. [2020-CA-0503-MR](#) BOYD  
DAMIEN NDZANGA [2020-CA-0575-MR](#)  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
GOODWINE**  
JONES, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
461. ANTHONY TYLER FULTON v. [2020-CA-0527-MR](#) ROBERTSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
DIXON**  
CALDWELL, J. (CONCURS) AND  
L. THOMPSON, J. (CONCURS)
462. WAKEEM I. POUNCY-ALLEN v. [2020-CA-0582-MR](#) KENTON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
COMBS**  
JONES, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**JULY 09, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

463. DENA WILLIAMS v. [2020-CA-0642-MR](#) SHELBY  
JANET CONOVER, WARDEN OF THE **NOT TO BE PUBLISHED**  
KENTUCKY CORRECTIONAL  
INSTITUTION FOR WOMEN  
  
**OPINION REVERSING BY JUDGE  
DIXON**  
  
CALDWELL, J. (CONCURS) AND  
L. THOMPSON, J. (CONCURS)
464. MATTHEW BROWNING v. [2020-CA-0738-MR](#) OLDHAM  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY CHIEF  
JUDGE CLAYTON**  
  
DIXON, J. (CONCURS) AND  
MAZE, J. (CONCURS)
465. CURTIS GREEN AND CLAY GREEN, [2020-CA-0781-MR](#) POWELL  
INC., D/B/A GREEN'S TOYOTA OF **TO BE PUBLISHED**  
LEXINGTON, ET AL. v.  
PHILLIP FRAZIER  
  
**OPINION AFFIRMING BY JUDGE  
JONES**  
  
TAYLOR, J. (CONCURS) AND  
MAZE, J. (DISSENTS AND FILES  
SEPARATE OPINION)
466. DEPORRES R. THOMPSON v. [2020-CA-0845-MR](#) MARION  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
LAMBERT**  
  
KRAMER, J. (CONCURS) AND  
DIXON, J. (CONCURS IN RESULT  
ONLY)

KENTUCKY COURT OF APPEALS

JULY 09, 2021 MINUTES

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467. GARY HIBBELN v. [2020-CA-0991-MR](#) JEFFERSON  
KEN JORDAN, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE MAZE**
- TAYLOR (CONCURS) AND  
K. THOMPSON (CONCURS)
468. MELISSA NEALE v. [2020-CA-1104-MR](#) FAYETTE  
GARY GINN, CORONER, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE ACREE**
- CALDWELL, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
469. ALEX HEX v. [2020-CA-1544-ME](#) JEFFERSON  
SAM LARIMER **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE L. THOMPSON**
- DIXON, J. (CONCURS) AND  
JONES, J. (CONCURS)
470. LEXINGTON-FAYETTE URBAN [2021-CA-0033-WC](#) WORKERS'  
COUNTY GOVERNMENT v. **NOT TO BE** COMPENSATION  
MICHAEL GOSPER, ET AL. **PUBLISHED** BOARD
- OPINION AFFIRMING BY JUDGE L. THOMPSON**
- JONES, J. (CONCURS) AND  
MAZE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JULY 09, 2021 MINUTES

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**ORDERS DISMISSING**

EAST RIVER OPPORTUNITY FUND, LLC v.  
BRENDA JAMIESON, ET AL.

[2019-CA-1339-MR](#)

BELL

**Entered: JULY 02, 2021**

GABRIEL BECERRA v.  
COMMONWEALTH OF KENTUCKY

[2021-CA-0652-ME](#)

TRIMBLE

**Entered: JULY 01, 2021**

CHRISTINA HOLT TAYLOR v.  
TAD DIRK TAYLOR

[2020-CA-1572-MR](#)

WARREN

**Entered: JUNE 30, 2021**

B.F.D. ENTERPRISES, LLC v.  
SHAMARIE SCHAUER

[2021-CA-0268-MR](#)

HANCOCK

**Entered: JUNE 30, 2021**

MARY RICKERT v.  
THE HOME OF INNOCENTS, INC.

[2019-CA-0895-MR](#)

JEFFERSON

**Entered: JULY 02, 2021**

FISHERVILLE AREA NEIGHBORHOOD  
ASSOCIATION, INC., ET AL. v.  
LOUISVILLE AND METRO PLANNING  
COMMISSION, ET AL.

[2020-CA-0848-MR](#)

JEFFERSON

**Entered: JULY 06, 2021**

RICHARD MORSE v.  
JOHN MORSE

[2020-CA-1312-MR](#)

JEFFERSON

**Entered: JULY 02, 2021**

**KENTUCKY COURT OF APPEALS**

**JULY 09, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

**ORDERS DISMISSING**

JOSEPH J. GERTH, III, ET AL. v.  
COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET, DEPARTMENT  
OF HIGHWAYS

[2020-CA-1427-MR](#)

OLDHAM

**Entered: JULY 02, 2021**

SPENCE MILLARD, ET AL. v.  
FAYETTE COUNTY RURAL LAND  
MANAGEMENT BOARD, INC.

[2020-CA-1607-MR](#)  
[2020-CA-1628-MR](#)

FAYETTE

**Entered: JULY 02, 2021**

STEPHEN KEFFER v.  
PATHWAYS, INC.

[2021-CA-0081-MR](#)

BOYD

**Entered: JULY 02, 2021**

CAROL M. SMITH, AKA CAROL SMITH v.  
CITY OF MIDDLETOWN, KY, ET AL.

[2021-CA-0182-MR](#)

JEFFERSON

**Entered: JULY 02, 2021**

**ORDER DENYING PETITION FOR REHEARING**

LEGISLATIVE RESEARCH COMMISSION v.  
DAVID LEIGHTTY

[2020-CA-0629-MR](#)

FRANKLIN

**Entered: JULY 01, 2021**

**ORDER DENYING PETITION FOR WRIT OF PROHIBITION**

ANNA ROCKETT v.  
HON. JUDITH E. MCDONALD-BURKMAN,  
JUDGE, JEFFERSON CIRCUIT COURT

[2021-CA-0145-OA](#)

JEFFERSON

**Entered: JULY 01, 2021**