KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

391.	HERMAN HELM v**.** COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE ECKERLE** COMBS, J. (CONCURS) AND L. JONES, J. (CONCURS)	2023-CA-1106-MR **NOT TO BE PUBLISHED**	HARDIN
392.	JT HIGGINS v**.** COMMONWEALTH OF KENTUCKY **OPINION REVERSING AND REMANDING BY JUDGE CALDWELL** L. JONES, J. (CONCURS AND FILES SEPARATE OPINION) AND EASTON, J. (DISSENTS AND FILES SEPARATE OPINION)	2023-CA-1327-MR **TO BE PUBLISHED**	HENDERSON
393.	NICKOLAS OSCAR GENO v**.** COMMONWEALTH OF KENTUCKY **OPINION REVERSING AND REMANDING BY JUDGE L. JONES** ACREE, J. (CONCURS) AND MCNEILL, J. (CONCURS)	2023-CA-1368-MR **TO BE PUBLISHED**	GRAVES
394.	MARCY DOOLIN, AS BENEFICIARY UNDER THE LINDA OWEN MILLER LIVING TRUST AGREEMENT DATED DECEMBER 6, 2017 v**.** DAVID L. OWEN, AS ADMINISTRATOR OF THE ESTATE OF LINDA OWEN MILLER **OPINION AFFIRMING BY JUDGE MCNEILL** ACREE, J. (CONCURS) AND L. JONES, J. (CONCURS)	2023-CA-1457-MR 2025-CA-0148-MR **NOT TO BE PUBLISHED**	JEFFERSON

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

395.	CURTIS SNELL v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE A. JONES** L. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)	2024-CA-0125-MR **NOT TO BE PUBLISHED**	KENTON
396.	MICHAEL FUGATE v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE A. JONES** THOMPSON, C.J. (CONCURS) AND ACREE, J. (CONCURS)	2024-CA-0135-MR **NOT TO BE PUBLISHED**	BREATHITT
397.	TREY MCKNIGHT v. ADELAIDA OLVERA, MOTHER AND NEXT FRIEND OF H.A., A MINOR CHILD **OPINION REVERSING AND REMANDING BY CHIEF JUDGE THOMPSON** ACREE, J. (CONCURS) AND CETRULO, J. (CONCURS)	2024-CA-0226-MR **NOT TO BE PUBLISHED**	JEFFERSON
398.	WESLEY SMALLWOOD, ET AL. v. JADE ALEXANDRA SMALLWOOD, ET AL. **OPINION AFFIRMING BY JUDGE CALDWELL** CETRULO, J. (CONCURS) AND A. JONES, J. (CONCURS)	2024-CA-0299-MR **NOT TO BE PUBLISHED**	BELL

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

399.	EMERSON KILBURN v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE A. JONES** THOMPSON, C.J. (CONCURS) AND ECKERLE, J. (CONCURS)	2024-CA-0557-MR 2024-CA-0736-MR **NOT TO BE PUBLISHED**	PERRY
400.	RHONDA FRITCH v. THE ESTATE OF BESSIE R. CRAVENS, SHARON WEBER, EXECUTRIX **OPINION AFFIRMING BY JUDGE CALDWELL** ECKERLE, J. (CONCURS) AND MCNEILL, J. (CONCURS)	2024-CA-0676-MR **NOT TO BE PUBLISHED**	DAVIESS
401.	COMMONWEALTH OF KENTUCKY v. BUDDY HOPKINS SLAUGHTER **OPINION REVERSING AND REMANDING BY JUDGE CALDWELL** CETRULO, J. (CONCURS) AND A. JONES, J. (CONCURS)	2024-CA-0817-MR **NOT TO BE PUBLISHED**	WARREN
402.	KEVIN THOMAS v. KENTUCKY PUBLIC PENSIONS AUTHORITY **OPINION AFFIRMING BY JUDGE LAMBERT** CALDWELL, J. (CONCURS) AND MOYNAHAN, J. (CONCURS)	2024-CA-0833-MR **NOT TO BE PUBLISHED**	FRANKLIN

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

403.	ALEXUS TISHAUN WALKER v. VANNA R. BRITTAIN, ET AL. **OPINION AFFIRMING IN PART AND VACATING IN PART AND REMANDING BY JUDGE L. JONES** A. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)	2024-CA-0868-MR **NOT TO BE PUBLISHED**	FAYETTE
404.	TRENTON LEE DIXON v. COMMONWEALTH OF KENTUCKY **OPINION AFFIRMING BY JUDGE ECKERLE** CALDWELL, J. (CONCURS) AND MCNEILL, J. (CONCURS)	2024-CA-0944-MR **TO BE PUBLISHED**	FAYETTE
405.	JAMES MARKSBURY v. COMMONWEALTH OF KENTUCKY **OPINION AND ORDER DISMISSING BY JUDGE CETRULO** CALDWELL, J. (CONCURS) AND ECKERLE, J. (CONCURS)	2024-CA-0949-MR **NOT TO BE PUBLISHED**	BOYLE
406.	ANGELA J. WATKINS v. VANNA R. BRITTAIN, ET AL. **OPINION AFFIRMING BY CHIEF JUDGE THOMPSON** ACREE, J. (CONCURS) AND MOYNAHAN, J. (CONCURS)	2024-CA-0979-MR **NOT TO BE PUBLISHED**	FAYETTE

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

407.	BRANDY LAWRENCE BARRETT v. ADMINISTRATIVE OFFICE OF THE COURTS, ET AL. **OPINION AFFIRMING BY JUDGE A. JONES** L. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)	2024-CA-0986-MR **TO BE PUBLISHED**	FRANKLIN
408.	JOSEPH SMITH v. CHILDERS OIL CO. **OPINION AFFIRMING BY JUDGE MOYNAHAN** THOMPSON, C.J. (CONCURS) AND ACREE, J. (CONCURS)	2024-CA-1223-MR **NOT TO BE PUBLISHED**	PIKE
409.	MUHLENBURG COUNTY COAL CO., LLC v. GREGORY RODGERS, ET AL. **OPINION AFFIRMING BY JUDGE COMBS** A. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)	2025-CA-0564-WC **NOT TO BE PUBLISHED**	WORKERS' COMPENSATION BOARD
410.	DAMON RAY BAILEY v. SOMMER ANN VARIE **OPINION AFFIRMING BY JUDGE COMBS** L. JONES, J. (CONCURS) AND TAYLOR, J. (CONCURS)	2025-CA-0121-ME **NOT TO BE PUBLISHED**	SHELBY

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

UNIVERSITY OF KENTUCKY EX REL. ELI CAPILOUTO IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE UNIVERSITY v. WENDELL BERRY, ET AL.	2024-CA-0497-MR	FRANKLIN

Entered: JULY 10, 2025

GREGORY WOOSLEY, AS ADMINISTRATOR OF THE ESTATE OF DAVID H. WOOSLEY AND OLIVIA MARIE WOOSLEY v. PROGRESSIVE DIRECT INSURANCE COMPANY	2024-CA-1117-MR	JEFFERSON

Entered: JULY 10, 2025

KYLER CHANNING AERY v. COMMONWEALTH OF KENTUCKY	2024-CA-1237-MR	FAYETTE

Entered: JULY 10, 2025

LACANDA MARTIN v. DEPARTMENT OF CODES AND REGULATIONS, ET AL.	2024-CA-1326-MR	JEFFERSON

Entered: JULY 10, 2025

PAUL M. TAYLOR v. BRYAN P. DAVEY, ET AL.	2024-CA-1485-MR	OLDHAM

Entered: JULY 10, 2025

ARTHUR RUNYON, ADMINISTRATOR OF THE ESTATE OF RICHARD B. WIX v. CRYSTAL BOSTON, ET AL.	2024-CA-1529-MR	BARREN

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

JAMES BRADLEY v. COMMONWEALTH OF KENTUCKY	2024-CA-1532-MR	CALLOWAY

Entered: JULY 10, 2025

COPLEN ROAD TRUST v. HAZEL ENTERPRISES, LLC, ET AL.	2025-CA-0011-MR	GRAVES

Entered: JULY 10, 2025

GAYLE GRAVES v. DANA METCALF, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BARBARA METCALF, ET AL.	2025-CA-0018-MR	NELSON

Entered: JULY 10, 2025

MALVA CRAWFORD GORMAN v. PEOPLES BANK & TRUST COMPANY OF HAZARD, INC., ET AL.	2025-CA-0023-MR 2025-CA-0024-MR 2025-CA-0025-MR	PERRY

Entered: JULY 10, 2025

BESSIE CHAMBERS, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF DENNIS CHAMBERS v. HAZARD ARH REGIONAL HOSPITAL, ET AL.	2025-CA-0138-MR	PERRY

Entered: JULY 10, 2025

JAMISON'S SALES AND RENTAL, INC., ET AL. v. GERMAN AMERICAN BANK, INC., ET AL.	2025-CA-0200-MR	SHELBY

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

HOME BUYERS WARRANTY CORPORATION v. CRYSTAL ROBERTS, ET AL.	2025-CA-0213-MR	BULLITT

Entered: JULY 10, 2025

LEONARD MARTIN v. GREEN RIVER VALLEY WATER DISTRICT, GENERAL MANAGER ANDREW TUCKER	2025-CA-0226-MR	HART

Entered: JULY 10, 2025

BENJAMIN T. LAYNE, ET AL. v. JIMMY HUBBARD	2025-CA-0316-MR	BOURBON

Entered: JULY 10, 2025

JULIAN BELL v. COOKIE CREWS, COMMISSIONER, ET AL.	2025-CA-0430-MR	FRANKLIN

Entered: JULY 10, 2025

SNK, LLC v. TASCO PROPERTIES, LLC	2025-CA-0455-MR	MCCRACKEN

Entered: JULY 10, 2025

KENTUCKY OAKS MALL COMPANY, LTD v. DENNIS MOSS	2025-CA-0554-MR	MCCRACKEN

Entered: JULY 10, 2025

GERRY E. LAWSON v. COMMONWEALTH OF KENTUCKY	2024-CA-0545-MR	JEFFERSON

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

RONNY DEVOID WALKER, SR. v. COMMONWEALTH OF KENTUCKY	2025-CA-0580-MR	JEFFERSON

Entered: JULY 10, 2025

BRANDY FRENCH v. COMMONWEALTH OF KENTUCKY, ET AL.	2022-CA-1290-MR	JEFFERSON

Entered: JULY 10, 2025

GENERAL MOTORS v. THOMAS PAYNE, ET AL.	2023-CA-0722-WC	WORKERS' COMPENSATION BOARD

Entered: JULY 10, 2025

JOSEPH SMITH v. COMMONWEALTH OF KENTUCKY	2024-CA-1564-MR	MARION

Entered: JULY 10, 2025

DERRION SMITH v. COMMONWEALTH OF KENTUCKY	2025-CA-0132-MR	CHRISTIAN

Entered: JULY 10, 2025

EVA K. MCHENRY v. COMMONWEALTH OF KENTUCKY	2025-CA-0334-MR	GRAYSON

Entered: JULY 10, 2025

MATTHEW DAUGHERTY v. COMMONWEALTH OF KENTUCKY	2024-CA-1443-MR	JEFFERSON

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

DAVID GEX v.
BRUCE T. BUTLER, JUDGE,
MEADE CIRCUIT COURT, ET AL.

2025-CA-0386-OA MEADE

Entered: JULY 10, 2025

ORDER DENYING PETITION FOR REHEARING

JAMES KELLER v**.**
TAHLOR GOUIN, ET AL.

2024-CA-1226-ME JEFFERSON

Entered: JULY 11, 2025

ORDERS DENYING MOTIONS TO RECONSIDER

MAHAMADOU KONATE v.
COMMONWEALTH OF KENTUCKY

2025-CA-0021-D FAYETTE

Entered: JULY 10, 2025

PAMELA BLAIR v.
SANCTUARY BLUFF HOMEOWNERS
ASSOCIATION, INC., ET AL.

2024-CA-0857-MR JEFFERSON

Entered: JULY 14, 2025

ORDER DENYING MOTION FOR BELATED APPEAL

JOHN FAIRLEY, III v**.**
COMMONWEALTH OF KENTUCKY

2025-CA-0390-MR CHRISTIAN

Entered: JULY 10, 2025

ORDERS DENYING MOTIONS FOR DISCRETIONARY REVIEW

ZACHARY M. ROBERTS v**.**
COMMONWEALTH OF KENTUCKY

2025-CA-0241-D MARION

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING MOTIONS FOR DISCRETIONARY REVIEW

BLAKE M. SCATES v. TARA ROSERO	2025-CA-0417-D	FAYETTE

Entered: JULY 09, 2025

JANE HACKER GREEN v. JEANETTE HACKER CHANEY, EXECUTRIX OF THE ESTATE OF WALTER DONALD HACKER, DECEASED	2025-CA-0441-D	MADISON

Entered: JULY 09, 2025

RICHARD SAYLOR, ET AL v. ADAMS TRAILER COURT	2025-CA-0443-D	MAGOFFIN

Entered: JULY 10, 2025

ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS

VALENCIA M. COX v. RODNEY DARREL BURRESS, JUDGE, BULLITT CIRCUIT COURT, ET AL.	2024-CA-1373-OA	BULLITT

Entered: JULY 10, 2025

SASHA CLARK, ET AL. v. JANE A. VENTERS, JUDGE, PULASKI CIRCUIT COURT, ET AL.	2025-CA-0339-OA	PULASKI

Entered: JULY 10, 2025

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

AIRBNB, INC. v. THOMAS D. WINGATE, JUDGE, FRANKLIN CIRCUIT COURT, ET AL.	2025-CA-0130-OA	FRANKLIN

Entered: JULY 10, 2025

KENTUCKY COURT OF APPEALS

JULY 18, 2025 MINUTES

RELEASED: 10:00 A.M.

ORDER AFFIRMING

JOSEPH L. SILVERBURG v. COMMONWEALTH OF KENTUCKY	2025-CA-0534-ME	FAYETTE

Entered: JULY 10, 2025

ORDER REVERSING

LINDA MORRIS v. VANESSA KENNEDY, WARDEN, ET AL.	2025-CA-0394-ME	SHELBY

Entered: JULY 10, 2025