

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 1 of 16

818	LAWSON (LESLIE LEE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING CLAYTON (PRESIDING JUDGE) MOORE (CONCURS) AND STUMBO (CONCURS)	<a href="#">2004-CA-000553-MR</a> TO BE PUBLISHED	LAUREL
819	OWENS (KEITH) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) LAMBERT (CONCURS) AND MOORE (CONCURS)	<a href="#">2006-CA-002600-MR</a> <a href="#">2008-CA-000919-MR</a> NOT TO BE PUBLISHED	FAYETTE
820	PRATHER (SAMUEL RAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) COMBS (CONCURS) AND STUMBO (CONCURS)	<a href="#">2007-CA-001910-MR</a> NOT TO BE PUBLISHED	MASON
821	LIVELY (MICHAEL), ET AL. VS. MCGAW (MOLLIE DINWIDDIE), ET AL. OPINION AFFIRMING COMBS (PRESIDING JUDGE) WINE (CONCURS) AND GRAVES (CONCURS)	<a href="#">2007-CA-002161-MR</a> NOT TO BE PUBLISHED	HOPKINS
822	BURBERRY (DARRELL WAYNE) VS. BURBERRY (JANE WOZNICK) OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) KELLER (CONCURS) AND MOORE (CONCURS)	<a href="#">2007-CA-002391-MR</a> NOT TO BE PUBLISHED	BOURBON
823	LEWIS (HARLIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) COMBS (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2008-CA-000104-MR</a> NOT TO BE PUBLISHED	JEFFERSON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 2 of 16

824	LOUISVILLE GALLERIA, LLC (), ET AL. VS. SCARBOROUGH MECHANICAL SERVICES, INC. OPINION VACATING AND REMANDING AS TO APPEAL AND DISMISSING AS TO CROSS-APPEAL COMBS (PRESIDING JUDGE) NICKELL (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2008-CA-000263-MR</a> 2008-CA-000328-MR NOT TO BE PUBLISHED	JEFFERSON
825	MATTINGLY (TOMMY S.), ET AL. VS. ESSEX (WILLIAM DARRELL), ET AL. OPINION AFFIRMING KNOPF (PRESIDING JUDGE) CLAYTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2008-CA-000441-MR</a> 2008-CA-000811-MR NOT TO BE PUBLISHED	MARION
826	CARPENTER (JEFFERY L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) LAMBERT (CONCURS) AND HENRY (CONCURS)	<a href="#">2008-CA-000519-MR</a> NOT TO BE PUBLISHED	BUTLER
827	EMBREY (BRYSON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) LAMBERT (CONCURS) AND KELLER (CONCURS IN RESULT ONLY)	<a href="#">2008-CA-000535-MR</a> NOT TO BE PUBLISHED	MUHLENBERG
828	BARRETT (LUTHER) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) STUMBO (CONCURS) AND VANMETER (CONCURS)	<a href="#">2008-CA-000674-MR</a> NOT TO BE PUBLISHED	CAMPBELL
829	MULLINS (WILLIAM) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING STUMBO (PRESIDING JUDGE) KELLER (CONCURS) AND VANMETER (CONCURS)	<a href="#">2008-CA-000720-MR</a> NOT TO BE PUBLISHED	KENTON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 3 of 16

830	FUSTON (RICHARD) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING WINE (PRESIDING JUDGE) NICKELL (CONCURS) AND STUMBO (CONCURS)	<a href="#">2008-CA-000819-MR</a> TO BE PUBLISHED	WHITLEY
831	ROTH (BRIAN S.) VS. LAWRENCE (WILLIAM W.), ET AL. OPINION AFFIRMING NICKELL (PRESIDING JUDGE) VANMETER (CONCURS) AND GRAVES (DISSENTS)	<a href="#">2008-CA-000868-MR</a> NOT TO BE PUBLISHED	JEFFERSON
832	OLLER (CLETUS RAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HARRIS (PRESIDING JUDGE) MOORE (CONCURS) AND NICKELL (CONCURS)	<a href="#">2008-CA-000977-MR</a> TO BE PUBLISHED	BULLITT
833	JACKSON (LEWALT) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) COMBS (CONCURS) AND NICKELL (CONCURS)	<a href="#">2008-CA-000992-MR</a> NOT TO BE PUBLISHED	JEFFERSON
834	HICKS (JOHN) VS. MAGOFFIN COUNTY BOARD OF EDUCATION OPINION AFFIRMING VANMETER (PRESIDING JUDGE) COMBS (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001025-MR</a> TO BE PUBLISHED	MAGOFFIN
835	GRAY (ROCKY D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) STUMBO (CONCURS) AND VANMETER (CONCURS)	<a href="#">2008-CA-001071-MR</a> NOT TO BE PUBLISHED	WEBSTER

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 4 of 16

836	JOHNSON (MARK) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING CAPERTON (PRESIDING JUDGE) THOMPSON (CONCURS) AND GRAVES (DISSENTS)	<a href="#">2008-CA-001093-MR</a> TO BE PUBLISHED	GRAVES
837	CHILTON (EVELYN) VS. DAVISS COUNTY PUBLIC SCHOOL BOARD OPINION VACATING AND REMANDING VANMETER (PRESIDING JUDGE) KELLER (CONCURS) AND STUMBO (CONCURS)	<a href="#">2008-CA-001103-MR</a> NOT TO BE PUBLISHED	DAVISS
838	JACOB (ROBERT A.) VS. DRIPCHAK (PHILIP O.), ET AL. OPINION AND ORDER AFFIRMING IN PART, REVERSING IN PART, AND REMANDING WITH DIRECTIONS TAYLOR (PRESIDING JUDGE) COMBS (CONCURS) AND NICKELL (CONCURS)	<a href="#">2008-CA-001157-MR</a> TO BE PUBLISHED	JEFFERSON
839	RIGSBY (WENDELL) VS. ASHLAND INC. , ET AL. OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) CLAYTON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001265-MR</a> 2008-CA-001428-MR 2008-CA-001429-MR 2008-CA-001430-MR 2008-CA-001431-MR 2008-CA-001432-MR NOT TO BE PUBLISHED	JOHNSON
840	BACK (HOWARD H.) VS. ROSS (JEFFREY) OPINION AFFIRMING COMBS (PRESIDING JUDGE) VANMETER (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001267-MR</a> NOT TO BE PUBLISHED	MAGOFFIN
841	HATFIELD (TEKO) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HARRIS (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2008-CA-001292-MR</a> NOT TO BE PUBLISHED	JEFFERSON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 5 of 16

842	PARSONS (DAVID) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) KELLER (CONCURS) AND STUMBO (CONCURS)	<a href="#">2008-CA-001439-MR</a> NOT TO BE PUBLISHED	KENTON
843	BOOKER (KEVIN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) KELLER (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001441-MR</a> NOT TO BE PUBLISHED	CARLISLE
844	G. (N. M.) VS. CABINET FOR HEALTH AND FAMILY SERVICES , ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) COMBS (CONCURS) AND NICKELL (CONCURS)	<a href="#">2008-CA-001699-ME</a> NOT TO BE PUBLISHED	JEFFERSON
845	VANHOOK (JASON) VS. THOMAS (JULIE) OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) KELLER (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001789-MR</a> NOT TO BE PUBLISHED	LYON
846	SPARKS (ANTHONY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2008-CA-001823-MR</a> NOT TO BE PUBLISHED	GREEN
847	HENSLEY (CHARLES D.) VS. HENSLEY (AMY) OPINION VACATING AND REMANDING CLAYTON (PRESIDING JUDGE) VANMETER (CONCURS) AND MOORE (CONCURS IN RESULT)	<a href="#">2008-CA-001916-ME</a> <a href="#">2008-CA-002094-ME</a> NOT TO BE PUBLISHED	JEFFERSON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 6 of 16

848	CAISE (VINCENT) VS. REES (JOHN) OPINION AFFIRMING HARRIS (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2008-CA-001949-MR</a> NOT TO BE PUBLISHED	FRANKLIN
849	LINDQUIST (ARNOLD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DIXON (PRESIDING JUDGE) CAPERTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2008-CA-002072-MR</a> NOT TO BE PUBLISHED	WHITLEY
850	CURTIS (RONNIE E.), ET AL. VS. BATSON (EUGENE), ET AL. OPINION AFFIRMING DIXON (PRESIDING JUDGE) CAPERTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2008-CA-002197-MR</a> NOT TO BE PUBLISHED	MUHLENBERG
851	KORDENBROCK (PAUL) VS. KUSTER (THEODORE), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) COMBS (CONCURS) AND NICKELL (CONCURS)	<a href="#">2008-CA-002216-MR</a> NOT TO BE PUBLISHED	FRANKLIN
852	JACKSON (JAMES L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HARRIS (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2008-CA-002262-MR</a> NOT TO BE PUBLISHED	WARREN
853	R. (M.) VS. CABINET FOR HEALTH AND FAMILY SERVICES , ET AL. OPINION AFFIRMING KELLER (PRESIDING JUDGE) STUMBO (CONCURS) AND VANMETER (CONCURS)	<a href="#">2009-CA-000002-ME</a> NOT TO BE PUBLISHED	MCCRACKEN

## COURT OF APPEALS OF KENTUCKY

08/21/2009 AT 10:00

PAGE 7 of 16

854	C. (P. C.) VS. C. (C. M.), ET AL. OPINION VACATING COMBS (PRESIDING JUDGE) VANMETER (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2009-CA-000189-ME</a> TO BE PUBLISHED	BELL
855	BELSITO (DAVID) VS. U-HAUL , ET AL. OPINION AND ORDER DISMISSING MOORE (PRESIDING JUDGE) NICKELL (CONCURS) AND HARRIS (CONCURS)	<a href="#">2009-CA-000527-WC</a> NOT TO BE PUBLISHED	WORKERS COMPENSATION

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ORDER CORRECTING OPINION:

INDUSTRIAL RISK INSURERS, ET AL  
VS.  
GIDDINGS & LEWIS, INC., ET AL  
ENTERED: 08/21/2009

2007-CA-002163-MR

GRAVES

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ORDER GRANTING MOTION TO PUBLISH OPINION RENDERED MAY 22, 2009:

LINDA TRENT  
VS.  
TECO COAL CORPORATION,  
ET AL  
ENTERED: 08/21/2009

2008-CA-00486-MR

PERRY

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ORDER DENYING PETITION FOR REHEARING:

PROGRESSIVE MAX INSURANCE COMPANY  
VS.  
NATIONAL CAR RENTAL SYSTEMS, INC.  
ENTERED: 08/17/2009

2007-CA-001800-MR

JEFFERSON

LINDA TRENT  
VS.  
TECO COAL CORPORATION, ET AL  
ENTERED: 08/21/2009

2008-CA-000486-MR

PERRY

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 8 of 16

WILLIAM D. YOUNG

2008-CA-001529-ME

FRANKLIN

VS.

CHRISTINA JONES AND  
HON. ROY GRAY, FRANKLIN  
FAMILY COURT, FRIEND OF THE  
COURT

ENTERED: 08/17/2009

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ORDERS AFFIRMING:

TRAVIS WAYNE BROCK

2009-CA-000887-MR

LYON

VS.

BECKY PANCAKE, WARDEN

ENTERED: 08/19/2009

RANDALL W. HARPER

2009-CA-000983-MR

MUHLENBERG

VS.

NANCY DOOM, HARDEN

ENTERED: 08/18/2009

LAWRENCE FROMAN, JR.

2009-CA-001181-MR

OLDHAM

VS.

J. DAVID DONAHUE, WARDEN

ENTERED: 08/18/09

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ORDER DENYING MOTION FOR DISCRETIONARY REVIEW:

S.L., A CHILD UNDER EIGHTEEN

2008-CA-001841-DR

CAMPBELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 08/19/2009

KARA KOLENDA

2009-CA-000961-DR

PERRY

VS.

COMMONWEALTH OF KENTUCKY  
CABINET FOR HEALTH AND FAMILY SERVICES,  
ET AL

ENTERED: 08/19/2009



**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 9 of 16

\*\*\*\*\*

ORDER GRANTING PETITION FOR WRIT OF PROHIBITION:

RICKY HOWARD AND KRISTY  
HOWARD  
VS.  
HON. JOHNNY RAY HARRIS,  
JUDGE, MAGOFFIN CIRCUIT COURT  
ENTERED: 08/18/2009

2009-CA-000772-OA      MAGOFFIN

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION:

RONALD HORN  
VS.  
HON. KAREN A. CONRAD, JUDGE  
OLDHAM CIRCUIT COURT  
ENTERED: 08/19/2009

2008-CA-000542-OA      OLDHAM

MICHAEL O'CONNELL, IN HIS  
OFFICIAL CAPACITY AS JEFFERSON  
COUNTY ATTORNEY, AND SHELLEY  
SANTRY, IN HER OFFICIAL CAPACITY  
AS AN ASSISTANT JEFFERSON COUNTY  
ATTORNEY  
VS.  
HON FREDERIC J. COWAN, JUDGE  
JEFFERSON CIRCUIT COURT  
AND  
BRUCE ALAN BRIGHTWELL, THE  
CITY OF JEFFERSONTOWN, KENTUCKY  
AND DETECTIVE ROSCOE SCOTT  
ENTERED: 08/18/2009

2008-CA-001561-OA      JEFFERSON

JASON DEAN BORDEN  
VS.  
HON. STEVE ALAN WILSON,  
JUDGE WARREN CIRCUIT COURT  
AND  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/19/2009

2008-CA-002209-OA      WARREN

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 10 of 16

JASON DEAN BORDEN

2008-CA-002210-OA

WARREN

VS.

HON. STEVE ALAN WILSON, JUDGE

WARREN CIRCUIT COURT

AND

PAT HOWELL GOAD AND RENEA

RUCK

ENTERED: 08/18/2009

JASON DEAN BORDEN

2009-CA-002322-OA

WARREN

VS.

HON. STEVE ALAN WILSON,

JUDGE WARREN CIRCUIT COURT

AND

COMMONWEALTH OF KENTUCKY

ENTERED: 08/19/2009

DARIUS BURDELL

2009-CA-000778-OA

LEE

VS.

HON. THOMAS P. JONES, JUDGE

LEE CIRCUIT COURT

AND

R. STOVALL, MIKE BOWLING,

JAMES COMBS, LAURA KASH,

AND DANNY LANE

ENTERED: 08/18/2009

GENEVA MAHONEY, AS EXECUTRIX OF

2009-CA-000974-OA

JEFFERSON

THE ESTATE OF LOUISE ROBERTS,

DECEASED

VS.

HON. JUDITH MCDONALD-

BURKMAN, JUDGE, JEFFERSON

CIRCUIT COURT, DIVISION 9

AND

SANDEEP KAPOOR, M.D., CARTIAS

PHYSICIANS GROUP, INC., JOHN S.

HARRIS, M.D. AND CARDIOVASCULAR

ASSOCIATES, P.S.C.

ENTERED: 08/14/2009

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 11 of 16

THE DREAMERS, LLC, WILLIE M.  
NEAL, JR., AND GLENDA HOFFMAN  
VS.  
HON. PAUL MUSSELWHITE,  
MASTER COMMISSIONER, HARDIN  
CIRCUIT COURT  
AND  
DON'S LUMBER & HARDWARE, INC.  
ENTERED: 08/19/2009

2009-CA-000984-OA

HARDIN

RONALD LEWIS MILLS  
VS.  
HON. THOMAS O. CASTLEN, JUDGE  
DAVIESS CIRCUIT COURT  
AND  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/18/2009

2009-CA-001017-OA

DAVIESS

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ORDERS DISMISSING:

NORMAN C. HART  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/19/2009

2006-CA-000442-MR

JEFFERSON

JOSHUA SANDERS  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/18/2009

2007-CA-001158-MR

WARREN

JASON EARLS  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/18/2009

2007-CA-002135-MR

BOURBON

VINCENT BRADLEY  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/19/2009

2008-CA-001032-MR

JEFFERSON

STEPHANIE LUSCO  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/19/2009

2008-CA-001295-MR

JEFFERSON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 12 of 16

WENDELL KEITH CLAY VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2008-CA-001296-MR	FAYETTE
JAMES LEE WHITE VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2008-CA-001384-MR	JESSAMINE
DONALD L. HOSKINSON VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-001528-MR	BULLITT
LARRY E. WATKINS-EL VS. HON. MITCH PERRY, JUDGE JEFFERSON CIRCUIT COURT AND COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2008-CA-001773-OA	JEFFERSON
JOE WILLIE BYRD VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-001840-MR	FAYETTE
BRIAN HOLMAN VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-001859-MR	CLINTON
JAMES TUTTLE VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2008-CA-001892-MR	CARROLL
BRYAN KEENAN BECCIA VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2008-CA-001944-MR	JEFFERSON
ROY IVAN POLLARD VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-001977-MR	FLEMING

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 13 of 16

CHRISTOPHER DAVID RAY VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-002174-MR	FAYETTE
ROBERT A. MUHAMMAD VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-002192-MR	JEFFERSON
KENNETH CHANDLER VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2008-CA-002327-MR	SHELBY
LORENZO LEE VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000088-MR	BOYLE
JUAN ESCOBEDO VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000148-MR	JEFFERSON
JASON DEAN BORDEN VS. PAT HOWELL GOAD, CLERK, WARREN CIRCUIT COURT ENTERED: 08/19/2009	2009-CA-000317-OA	WARREN
RODNEY SHIELDS VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-000386-MR	JEFFERSON
RONALD GENE WAGERS VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-000426-MR	TRIMBLE
ROY STACEY VS. KENTUCKY DEPARTMENT OF CORRECTIONS, ET AL ENTERED: 08/19/2009	2009-CA-000480-MR	FRANKLIN

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 14 of 16

WILLIAM J. STEWART VS. HON. JOHN R. GRISE, JUDGE WARREN CIRCUIT COURT AND COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000492-OA	WARREN
MAURICE L. TODD VS. RON HOWERTON, WARDEN ENTERED: 08/19/2009	2009-CA-000585-MR	FAYETTE
PATRICK MEEKS VS. HON. MARTIN F. MCDONALD, JUDGE JEFFERSON CIRCUIT COURT AND COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000701-OA	JEFFERSON
MONRICO M. HOLMES VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000707-MR	MASON
CLINTON L. BREWER VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-000830-MR	MCCRACKEN
LARRY E. WATKINS-EL VS. STEVE BESHEAR ENTERED: 08/19/2009	2009-CA-000836-MR	FRANKLIN
JACOBY PISTOLE VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000896-MR	BALLARD
DANNY CHAMBERS VS. HON. REBECCA K. PHILLIPS, JUDGE MORGAN CIRCUIT COURT AND COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-000971-OA	MORGAN

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 15 of 16

RONALD BIRDSONG VS. LADONNA THOMPSON, DEPARTMENT OF CORRECTIONS COMMISSIONER ENTERED: 08/19/2009	2009-CA-000981-MR	FRANKLIN
CURTIS DIXON VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-001019-MR	JEFFERSON
ALBERTO SANTIAGO VS. LADONNA H. THOMPSON ENTERED: 08/19/2009	2009-CA-001041-MR	MUHLENBERG
OWEN R. GADD VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/18/2009	2009-CA-001042-MR	GARRARD
MICHAEL WEBB VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-001053-MR	CAMPBELL
STEVEN GAFFNEY VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-001083-MR	FAYETTE
KIETH SLOAN VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-001153-MR	JEFFERSON
GREGORY L. TAYLOR VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/19/2009	2009-CA-001281-MR	JEFFERSON

**COURT OF APPEALS OF KENTUCKY**

08/21/2009 AT 10:00

PAGE 16 of 16

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ORDER DISMISSING FROM PREVIOUS WEEK ENDING 08/14/2009:

JOSEPH H. COHEN

2009-CA-001044-OA

JEFFERSON

VS.

HON. ANN O'MALLEY SHAKE,  
SPECIAL JUDGE, JEFFERSON  
CIRCUIT COURT

AND

DIANNE HUTCHERSON AND ROY  
F. MCMAHAN III

ENTERED: 08/14/2009