

**COURT OF APPEALS OF KENTUCKY**

08/31/2012 AT 10:00 a.m.

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773	MANLEY (ROBERT C.)III VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DIXON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2009-CA-001836-MR</a> NOT TO BE PUBLISHED	FRANKLIN
774	DIMAGHANI (JUDITH HART) VS. SHOWALTER (DENNIS JAMES)III OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) MOORE (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2009-CA-002171-MR</a> NOT TO BE PUBLISHED	FAYETTE
775	GREENWOOD (HUBERT) VS. GREENWOOD (SANDRA) OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING VANMETER (PRESIDING JUDGE) DIXON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2010-CA-000333-MR</a> NOT TO BE PUBLISHED	HARDIN
776	ROBERTS (VALARIE M.), ET AL. VS. ROBERTS (JOHN K.), ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) NICKELL (CONCURS) AND CAPERTON (DISSENTS)	<a href="#">2010-CA-000653-MR</a> 2011-CA-000648 TO BE PUBLISHED	DAVIESS
777	PENNINGTON (RAY) VS. WHEELER AND CLEVINGER OIL COMPANY OPINION VACATING AND REMANDING ACREE (PRESIDING JUDGE) STUMBO (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2010-CA-001258-MR</a> NOT TO BE PUBLISHED	JOHNSON
778	EATON (DAVID CHRISTOPHER) VS. JOHNSON (KRISTINA NICOLE) OPINION AFFIRMING COMBS (PRESIDING JUDGE) DIXON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2010-CA-002080-ME</a> 2011-CA-001907 NOT TO BE PUBLISHED	FAYETTE

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779	STATHERS (RANDALL L.), ET AL. VS. GARRARD COUNTY BOARD OF EDUCATION, ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING ACREE (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2010-CA-002212-MR</a> 2010-CA-002281-MR TO BE PUBLISHED	GARRARD
780	GRAY (WALTER D.) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING LAMBERT (PRESIDING JUDGE) CAPERTON (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2010-CA-002325-MR</a> NOT TO BE PUBLISHED	FAYETTE
781	JONES (WILLIAM, ERIC) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) NICKELL (CONCURS) AND CAPERTON (CONCURS)	<a href="#">2011-CA-000074-MR</a> NOT TO BE PUBLISHED	GRAVES
782	OSBORN (THOMAS P.) VS. WEDDINGTON (LINDA, K.)(FORMERLY OSBORN) OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	<a href="#">2011-CA-000155-MR</a> NOT TO BE PUBLISHED	FAYETTE
783	KENTUCKY COMMUNITY & TECHNICAL COLLEGE SYSTEM, "KCTCS" VS. PAXTON MEDIA GROUP d/b/a OWENSBORO MESSENGER-INQUIRER, INC. OPINION AFFIRMING COMBS (PRESIDING JUDGE) DIXON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-000816-MR</a> 2011-CA-000817-MR NOT TO BE PUBLISHED	WOODFORD

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784	MARTIN (CODY) VS. ELKINS (KEITH) OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND COMBS (CONCURS)	<a href="#">2011-CA-000862-MR</a> TO BE PUBLISHED	JEFFERSON
785	MEADOR (ERNEST) VS. SANDAGE (CHRISTINA) OPINION AFFIRMING ACREE (PRESIDING JUDGE) COMBS (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-000883-MR</a> NOT TO BE PUBLISHED	WARREN
786	CITIFINANCIAL, INC. VS. BRATTON (EDNA), ET AL. OPINION AND ORDER REVERSING AND REMANDING; AND DENYING MOTION TO DISMISS LAMBERT (PRESIDING JUDGE) CLAYTON (CONCURS) AND STUMBO (CONCURS)	<a href="#">2011-CA-001152-MR</a> TO BE PUBLISHED	FAYETTE
787	WILLIAMS (LINDA) VS. FRYMIRE (DAVID) OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) NICKELL (CONCURS) AND CAPERTON (CONCURS)	<a href="#">2011-CA-001568-ME</a> TO BE PUBLISHED	CALLOWAY
788	TRIANGLE PACIFIC INSULATION VS. BURTON (LANA), ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) COMBS (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-001796-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP
789	BRITTHAVEN OF BENTON VS. SMITH (VICKIE), ET AL. OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) DIXON (CONCURS) AND ACREE (CONCURS)	<a href="#">2011-CA-002299-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP

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ORDER FROM PREVIOUS WEEK ENDING: 08/24/2012 DENYING PETITION FOR REHEARING:

VIRGIN MOBILE USA, L.P. VS. COMMONWEALTH OF KENTUCKY ON BEHALF OF, COMMERCIAL MOBILE RADIO SERVICE TELECOMMUNICATIONS BOARD; CTIA-THE WIRELESS ASSOCIATION; AND TRACFONE WIRELESS, INC. ENTERED: 08/23/2012	2010-CA-001185-MR 2010-CA-001266-MR	JEFFERSON
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ORDER DISMISSING:

KENTUCKY NATIONAL INSURANCE COMPANY VS. THOMAS W. HOWARD, AS THE ADMINISTRATOR OF THE ESTATE OF CHARLES MIKEL HOWARD, DECEASED; ET AL ENTERED: 08/24/2012	2010-CA-001552-MR 2012-CA-000437-MR	BELL
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ORDER FROM PREVIOUS WEEK ENDING: 07/06/2012

ORDER DISMISSING:

ORLANDO SMITH, ET AL VS. CHARLES D. NALLIA, ET AL ENTERED: 07/06/2012	2012-CA-000674-MR	JEFFERSON
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ORDER FROM PREVIOUS WEEK ENDING: 08/03/2012

ORDER DISMISSING:

KENTUCKIANA PROPANE EXCHANGE, LLC, ET AL VS. HERITAGE OPERATING, L.P., D/B/A METRO LIFT PROPANE OF LOUISVILLE ENTERED: 07/30/2012	2011-CA-001033-MR	JEFFERSON
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ORDERS FROM PREVIOUS WEEK ENDING: 08/10/2012

ORDERS DISMISSING:

SPRING CREEK RESORT LLC VS.	2011-CA-000135-MR	CLINTON
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MICHAEL DEAN CHAUSSEE  
ENTERED 08/09/2012

DONALD THORNSBERRY  
VS.  
DAVID BLAIR, PREVIOUS COUNTY  
JUDGE EXECUTIVE, OF THE COUNTY  
OF ELLIOTT, ET AL  
ENTERED: 08/09/2012

2012-CA-000446-MR

ELLIOTT

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ORDER DENYING PETITION FOR REHEARING:

PATRICIA TATUM MCALPIN, IN HER  
INDIVIDUAL CAPACITY AND IN HER  
CAPACITY AS EXECUTRIX OF THE  
ESTATE OF KATHRYN TATUM; TIMOTHY  
J. MCCALPIN; THE J.D. MCCALPIN GROUP,  
INC.; MICHAEL RAY TATUM; AND SUSAN L.  
YOUNG-TATUM  
VS.  
JOHN W. BAILEY AND ELIZABETH BAILEY  
ENTERED: 08/29/2012

2010-CA-001123-MR  
2010-CA-001206-MR

FAYETTE

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ORDER DENYING PETITIONS FOR WRIT OF MANDAMUS:

PNC COMMUNITY DEVELOPMENT  
CORPORATION, ET AL  
VS.  
HONORABLE AUDRA J. ECKERLE, JUDGE  
JEFFERSON CIRCUIT COURT  
PARKSIDE HOLDINGS, INC. ET AL  
Entered: 08/29/2012

2011-CA-000374-OA  
2011-CA-001064-OA

JEFFERSON

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ORDER DISMISSING:

H.D.J., A CHILD  
VS.  
COMMONWEALTH OF KENTUCKY

2012-CA-000566-MR

WOODFORD