

**COURT OF APPEALS OF KENTUCKY**

09/14/2012 AT 10:00 a.m.

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790	GREER (LARRY), ET AL. VS. HOOK (HENRY), ET AL. OPINION AFFIRMING MAZE (PRESIDING JUDGE) CLAYTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2010-CA-001767-MR</a> 2010-CA-001806 TO BE PUBLISHED	PIKE
791	SEXTON (TODD LEE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) LAMBERT (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2010-CA-002118-MR</a> NOT TO BE PUBLISHED	PERRY
792	CREECH (LUTHER) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND CAPERTON (CONCURS)	<a href="#">2011-CA-000127-MR</a> NOT TO BE PUBLISHED	GARRARD
793	SIZEMORE (LORETTA) VS. SIZEMORE (RANDALL J.) OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) COMBS (CONCURS) AND DIXON (CONCURS)	<a href="#">2011-CA-000302-MR</a> NOT TO BE PUBLISHED	BOONE
794	CONWAY (MICHAEL B.) VS. THE ESTATE OF LEXA CONWAY, ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) COMBS (CONCURS) AND DIXON (CONCURS)	<a href="#">2011-CA-000439-MR</a> NOT TO BE PUBLISHED	MASON
795	DULIN (DERICK) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING CLAYTON (PRESIDING JUDGE) STUMBO (CONCURS) AND TAYLOR (DISSENTS AND FILES SEPARATE OPINION)	<a href="#">2011-CA-000602-MR</a> TO BE PUBLISHED	JEFFERSON

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796	MARTIN (DANETTI) VS. ST JOSEPH HEALTH SYSTEM, INC., ET AL. OPINION REVERSING AND REMANDING KELLER (PRESIDING JUDGE) TAYLOR (CONCURS IN RESULT ONLY) AND THOMPSON (DISSENTS AND FILES SEPARATE OPINION)	<a href="#">2011-CA-000645-MR</a> NOT TO BE PUBLISHED	FAYETTE
797	LOVELL (BRETT ALAN), ET AL. VS. ST. PAUL FIRE & MARINE INSURANCE COMPANY, ET AL. OPINION REVERSING KELLER (PRESIDING JUDGE) THOMPSON (CONCURS, AND FILES SEPARATE OPINION) AND TAYLOR (DISSENTS, AND FILES SEPARATE OPINION)	<a href="#">2011-CA-000699-MR</a> TO BE PUBLISHED	KENTON
798	CLINE (CARL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING TAYLOR (PRESIDING JUDGE) CLAYTON (CONCURS) AND MAZE (CONCURS IN PART, DISSENTS IN PART AND FILES SEPARATE OPINION)	<a href="#">2011-CA-000758-MR</a> NOT TO BE PUBLISHED	ADAIR
799	HOWARD (NOW FLETCHER) (BELINDA YVONNE) VS. HOWARD (LESLIE MARK) OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) MOORE (CONCURS) AND NICKELL (CONCURS)	<a href="#">2011-CA-000930-MR</a> NOT TO BE PUBLISHED	GREENUP
800	VISTA HOMES, INC., ET AL. VS. LEE MASONRY PRODUCTS, INC. OPINION AFFIRMING COMBS (PRESIDING JUDGE) THOMPSON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-000987-MR</a> NOT TO BE PUBLISHED	HARDIN

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801	PAULA TERRY, ADMINISTRATRIX VS. ELAM (JAMES), ET AL. OPINION AFFIRMING KELLER (PRESIDING JUDGE) TAYLOR (CONCURS, IN RESULT ONLY) AND THOMPSON (CONCURS)	<a href="#">2011-CA-001006-MR</a> NOT TO BE PUBLISHED	CLARK
802	SEBASTIAN (JESSIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) MAZE (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2011-CA-001053-MR</a> NOT TO BE PUBLISHED	LYON
803	GUENTHER (KEITH GREGORY) VS. GUENTHER (RACHEL MARIE) OPINION REVERSING AND REMANDING CAPERTON (PRESIDING JUDGE) THOMPSON (CONCURS) AND KELLER (CONCURS IN RESULT ONLY IN PART AND DISSENTS IN PART AND FILES SEPARATE OPINION)	<a href="#">2011-CA-001165--ME</a> TO BE PUBLISHED	KENTON
804	UTTERBACK (EDITH) VS. CITY OF EARLINGTON, ET AL. OPINION REVERSING AND REMANDING LAMBERT (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2011-CA-001418-MR</a> TO BE PUBLISHED	HOPKINS
805	PAULEY (MISTY) VS. REYNOLDS (ROGER), ET AL. OPINION REVERSING AND REMANDING COMBS (PRESIDING JUDGE) CLAYTON (CONCURS) AND THOMPSON (DISSENTS)	<a href="#">2011-CA-001705-MR</a> NOT TO BE PUBLISHED	JEFFERSON
806	TAYLOR (CHESTER L.) JR VS. BARLOW (ROGER), ET AL. OPINION REVERSING AND REMANDING MAZE (PRESIDING JUDGE) CLAYTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2011-CA-001779-MR</a> TO BE PUBLISHED	MONROE

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807	ROBERTS (DONALD) VS. THOMPSON, COMMISSIONER (LADONNA) OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) COMBS (CONCURS) AND DIXON (CONCURS)	<a href="#">2011-CA-001950-MR</a> TO BE PUBLISHED	FRANKLIN
808	MERIDA (JAMES C.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) MAZE (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2011-CA-002014-MR</a> NOT TO BE PUBLISHED	WHITLEY
809	PERRY COUNTY BOARD OF EDUCATION VS. COUCH (GARY), ET AL. OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) MAZE (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2012-CA-000385-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP
810	JUSTICE (DAVID) VS. KIMPER VOLUNTEER FIRE DEPARTMENT, ET AL. OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) MAZE (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2012-CA-000417-WC</a> TO BE PUBLISHED	WORKERS' COMP
811	B. (T.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION VACATING AND REMANDING CLAYTON (PRESIDING JUDGE) COMBS (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2012-CA-000419-ME</a> NOT TO BE PUBLISHED	SHELBY

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812	US BANK HOME MORTGAGE VS SCHRECKER (ANDREA) OVERFIELD, HON (J. LANDON), ADMINISTRATIVE LAW JUDGE; AND WORKERS' COMPENSATION BOARD OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) ACREE (CONCURS) AND DIXON (CONCURS)	<a href="#"><u>2011-CA-002253-WC</u></a> <a href="#"><u>TO BE PUBLISHED</u></a>	WORKERS COMP
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**ORDERS FROM PREVIOUS WEEK ENDING: 08/31/2012**

**ORDERS DISMISSING:**

BYRON COOPER, ET AL  
VS  
MACK BAILEY  
ENTERED: 08/31/2012

2011-CA-000137-MR

FAYETTE

A.S.A.P. PLUMBING, ELECTRICAL  
AND HVAC, LLC  
VS  
VENTURE HOME AGAIN, INC.  
ENTERED: 08/31/2012

2011-CA-000387-MR

JOHNSON

PAUL ANTHONY BELLAMY  
VS  
AMY BELLAMY  
ENTERED: 08/31/12

2011-CA-000757-MR

CARTER

COUNTRYWIDE HOME LOANS, INC.  
VS  
UNITED BANK & TRUST COMPANY,  
VERSAILLES, KENTUCKY; ET AL.  
ENTERED: 08/31/2012

2011-CA-001325-MR

JESSAMINE

CONNIE FLORA  
VS  
GEICO INDEMNITY COMPANY  
ENTERED: 08/31/2012

2011-CA-001831-MR

FAYETTE

VERNON TOWNSEND  
VS  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/30/2012

2011-CA-001891-MR

CLARK

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CHARLES W. BAKER, JR. VS GERRY S. BAKER ENTERED: 08/31/2012	2011-CA-001245-MR 2011-CA-001278-MR	WOODFORD
DARIEN J. DALTON VS COMMONWEALTH OF KENTUCKY ENTERED: 08/31/2012	2011-CA-002026-MR	GRAVES
DAVID LEO CAPPS, JR VS COMMONWEALTH OF KENTUCKY ENTERED: 08/30/2012	2011-CA-002287-MR	FAYETTE
MARY HAYES VS CARLA REDDINGTON ENTERED: 08/31/2012	2012-CA-000240-MR	BOONE
CHRIST MEINHARD, AS ADMINISTRATOR OF THE ESTATE OF ELIZABETH BRINSON VS THOMAS ANDREW WALTZ, ET AL. ENTERED: 08/31/2012	2012-CA-000346-MR	JEFFERSON
CLARENCE CHAPMAN, ET AL VS BRANCH BANKING & TRUST COMPANY, ET AL ENTERED: 08/31/2012	2012-CA-000376-MR	METCALFE
ANGELA C. LEET VS NOBILE TILE & MARBLE COMPANY, INC.; ET AL ENTERED: 08/31/2012	2012-CA-00545-MR	JEFFERSON
MACK GERMAINE THOMAS VS COMMONWEALTH OF KENTUCKY, EX REL. CABINET FOR HEALTH AND FAMILY SERVICES; ET AL ENTERED: 08/31/2012	2012-CA-000558-MR	JEFFERSON

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JUDY MAY CORNETT VS LUTHER CORNETT ENTERED: 08/31/2012	2012-CA-000560-MR	RUSSELL
PAYTON DOUGLAS THOMAS VS THE ESTATE OF KELLY E DOYLE, BY AND THROUGH ITS ADMINISTRATOR, JOHN PAUL DOYLE ENTERED: 08/31/2012	2012-CA-000656-MR	JEFFERSON
DALE CLEMONS VS DIANE MORGAN ENTERED: 08/31/2012	2012-CA-000669-MR	OLDHAM
ROY VANDERVORT VS ANDREA MARIE VANDERVORT, ET AL ENTERED: 08/31/2012	2012-CA-000757-MR	MARSHALL
D.F. BAILEY, INC. VS BRENDA ROUSE ENTERED: 08/31/2012	2012-CA-000770-MR	PULASKI
TERRANCE TABB VS COMMONWEALTH OF KENTUCKY ENTERED: 08/31/2012	2012-CA-000858-MR	JEFFERSON
SBR MACHINERY MOVERS VS KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL ENTERED: 08/31/2012	2012-CA-000905-MR	FRANKLIN
HOLLY ANN LAMBERT VS CAROLYN JEAN AUTRY ENTERED: 08/31/2012	2012-CA-001166-MR	GRAVES
PATRICK R. LANCASTER, IV; ET AL VS LAMA, LLC; ET AL ENTERED: 08/31/2012	2012-CA-001220-MR	JEFFERSON





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HON. CHARLES L. CUNNINGHAM,  
JUDGE JEFFERSON CIRCUIT COURT  
AND  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/31/2012

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**ORDER FROM PREVIOUS WEEK ENDING: 08/31/2012 DENYING PETITION FOR WRIT OF PROHIBITION:**

SOUTHREN FINANCIAL LIFE INSURANCE COMPANY VS	2012-CA-001080-OA	PIKE
HON. STEVEN D. COMBS, JUDGE, PIKE CIRCUIT COURT AND ROGER MULLINS, ADMINISTRATOR OF THE ESTATE OF VALERIE MULLINS, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY SITUATED ENTERED: 08/31/2012		

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**ORDERS FROM PREVIOUS WEEK ENDING 08/31/2012 AFFRIMING:**

REVEL ZAIN VS JOE BLUE, JAILER ENTERED: 08/31/2012	2012-CA-000150-MR	HOPKINS
SHAWN W. ERNST VS PHILLIP PARKER, WARDEN ENTERED: 08/31/2012	2012-CA-000209-MR	LYON
WAYNE ALLEN EPLION VS JOSEPH MEKO ENTERED: 08/31/2012	2012-CA-000408-MR	ELLIOTT
LUTHER CREECH VS COMMONWEALTH OF KENTUCKY ENTERED: 08/31/2012	2012-CA-000588-MR	OLDHAM

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DAVID H. BREWSTER  
VS

2012-CA-001029-MR

MUHLENBERG

RANDY WHITE, WARDEN  
GREEN RIVER CORRECTIONAL  
COMPLEX

ENTERED: 08/31/2012

ERIC HARDIMON  
VS

2012-CA-001044-MR

OLDHAM

KENTUCKY DEPARTMENT OF  
CORRECTIONS

ENTERED: 08/31/2012

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**ORDERS FROM PREVIOUS WEEK ENDING 08/31/2012 GRANTING DISCRETIONARY REVIEW:**

Z.A., A CHILD UNDER EIGHTEEN  
VS  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/30/2012

2012-CA-000927-DG

FAYETTE

BILLY COX  
VS  
COMMONWEALTH OF KENTUCKY  
ENTERED: 08/31/2012

2012-CA-000957-DG

MARION

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**ORDERS FROM PREVIOUS WEEK ENDING 08/31/2012 DENYING DISCRETIONARY REVIEW:**

COMMONWEALTH OF KENTUCKY  
VS  
IN THE INTEREST OF JUVENILES  
D.E., C.W., AND K.H.  
ENTERED: 08/31/2012

2012-CA-000768-DR

CAMPBELL

COMMONWEALTH OF KENTUCKY  
VS  
JOHN K. DOLL  
ENTERED: 08/31/2012

2012-000808-DR

JEFFERSON

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**ORDER FROM PREVIOUS WEEK ENDING 09/07/2012 DENYING PETITION FOR REHEARING:**

BRAD DENNY  
VS  
COMMONWEALTH OF KENTUCKY

2011-CA-001232-MR

MCCREARY

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ENTERED: 09/07/2012

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**ORDER FROM PREVIOUS WEEK ENDING 09/07/2012 DENYING BELATED APPEAL:**

J.E.M. 2012-CA-000956-MR WARREN  
VS  
COMMONWEALTH OF KENTUCKY  
ENTERED: 09/05/2012

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**ORDERS FROM PREVIOUS WEEK ENDING: 09/07/2012 DENYING WRIT OF MANDAMUS:**

DENITA WRIGHT, ET AL 2012-CA-000799-OA JEFFERSON  
VS  
HON. MITCH PERRY JUDGE,  
JEFFERSON CIRCUIT COURT  
LOUISVILLE METRO COUNCIL  
ENTERED: 09/05/2012

ANTHONY D. BRIDGEWATER 2012-CA-000960-OA METCALFE  
VS  
HON. PHIL PATTON, JUDGE  
METCALFE CIRCUIT COURT  
AND  
COMMONWEALTH OF KENTUCKY  
ENTERED: 09/05/2012

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**ORDER FROM PREVIOUS WEEK ENDING 08/31/2012 AFFIRMING IN PART AND REVERSING  
IN PART, HABEAS CORPUS APPEAL**

TAMMY YORK 2012-CA-001171-MR KENTON  
VS  
TERRY CARL, IN HIS OFFICIAL  
CAPACITY AS KENTON COUNTY  
JAILER  
ENTERED 08/31/2012

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**ORDER FROM PREVIOUS WEEK ENDING 09/07/2012 DISMISSING:**

SAMUEL MANLY 2011-CA-000253-MR JEFFERSON  
VS  
CAPITAL ONE BANK (USA), NA.  
ENTERED: 09/05/2012



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NICOLE REEVES VS COMMONWEALTH OF KENTUCKY ENTERED: 09/11/2012	2012-CA-000303-MR	LAUREL
DAVON BURKE VS HON. FRED STINE, JUDGE CAMPBELL CIRCUIT COURT AND CAMPBELL COUNTY FISCAL COURT, GREG BUCKLER, HON. STEVE PENBRY, MAJOR GRACE NAGEL, SGT. JOHN HINES, SGT. EDWARD SLOCUM AND DEPUTY FORNASH ENTERED: 09/12/2012	2012-CA-000352-OA	CAMPBELL
M.R.D., A CHILD UNDER EIGHTEEN VS COMMONWEALTH OF KENTUCKY ENTERED: 09/11/2012	2012-CA-000707-MR	FAYETTE
WILLIAM PICKARD VS COMMONWEALTH OF KENTUCKY ENTERED: 09/12/2012	2012-CA-000829-MR	JEFFERSON
B.B., A CHILD UNDER EIGHTEEN VS COMMONWEALTH OF KENTUCKY ENTERED: 09/11/2012	2012-CA-000848-MR	FAYETTE
MARVIN HISEL VS COMMONWEALTH OF KENTUCKY ENTERED: 09/11/2012	2012-CA-000860-MR	
TOM C. CHAFIN AND CHAFIN AND CHAFIN TRACK, INC. VS UNITRAC RAILROAD MATERIALS, INC. ENTERED: 09/12/2012	2012-CA-001142-MR	FAYETTE
SHIRLEY L. BARNES VS JEFFERSON COUNTY PUBLIC SCHOOLS, ET AL	2012-CA-001147-WC	WORKERS COMP

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ENTERED: 09/12/2012

JOSEPH TYRONE WASHINGTON                      2012-CA-001183-MR                      JEFFERSON  
VS  
KIMART PROPERTIES, LLC  
ENTERED: 09/12/2012

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**ORDER DENYING PETITION FOR REHEARING**

SALAS ENTERPRISES                                      2010-CA-002091-MR                      FAYETTE  
CORPORATION  
VS  
POSTAL ENTERPRISES, LLC  
ENTERED: 09/11/2012

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**ORDER DENYING MOTION FOR BELATED APPEAL**

DAVID K. CARVER                                      2012-CA-000120-MR                      MUHLENBERG  
VS  
COMMONWEALTH OF KENTUCKY  
ENTERED: 09/12/2012

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**ORDER DENYING MOTION FOR INTERLOCUTORY RELIEF**

KAKEESHA JOHNSON                                      2012-CA-001160-I                      JEFFERSON  
VS  
GUARDIAN ANGEL STAFFING  
AGENCY, INC  
ENTERED: 09/12/2012

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**ORDERS DENYING WRIT OF MANDAMUS**

MARTIN L. MASON                                      2011-CA-002275-OA                      MCCRACKEN  
VS  
HON. TIMOTHY KALTENBACH,  
JUDGE MCCRACKEN CIRCUIT  
COURT  
AND  
COMMONWEALTH OF KENTUCKY  
ENTERED: 09/12/2012

EDWARD RAIFSNIDER                                      2012-CA-000925-OA                      MARSHALL  
VS  
HON. DENNIS R. FOUST, JUDGE



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