

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 1 of 9

874	HAMPTON (GLENN) VS. FLAV-O-RICH DAIRIES, ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) COMBS (CONCURS) AND MAZE (CONCURS)	<a href="#">2014-CA-000409-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP
875	JENKINS (BENJAMIN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) J. LAMBERT (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2014-CA-001734-MR</a> NOT TO BE PUBLISHED	BOONE
876	ROBERTS (JOHN S.) VS. WOODHILL PARK, INC., ET AL. OPINION VACATING AND REMANDING JONES (PRESIDING JUDGE) ACREE (CONCURS) AND NICKELL (CONCURS)	<a href="#">2014-CA-001945-MR</a> NOT TO BE PUBLISHED	FAYETTE
877	WATKINS (JOE S.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING JONES (PRESIDING JUDGE) ACREE (CONCURS) AND NICKELL (CONCURS)	<a href="#">2014-CA-002068-MR</a> NOT TO BE PUBLISHED	BOURBON
878	CURTIS (GREGORY SHAUN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) CLAYTON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2015-CA-000069-MR</a> TO BE PUBLISHED	FAYETTE
879	SIMMONS (JODI) VS. CITIBANK, N.A., SUCCESSOR TO CITIBANK OPINION AFFIRMING DIXON (PRESIDING JUDGE) KRAMER (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2015-CA-000165-MR</a> NOT TO BE PUBLISHED	OLDHAM

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 2 of 9

880	YACOB SMOKE SHOP LLC VS. ACUITY, A MUTUAL INSURANCE COMPANY OPINION AFFIRMING D. LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND KRAMER (CONCURS IN RESULT ONLY)	<a href="#">2015-CA-000237-MR</a> NOT TO BE PUBLISHED	JEFFERSON
881	SMITH (MARK A.) VS. SMITH (AMY H.) OPINION AFFIRMING J. LAMBERT (PRESIDING JUDGE) TAYLOR (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2015-CA-000339-MR</a> TO BE PUBLISHED	OLDHAM
882	HARRINGTON (DAVID G.) VS. KENTUCKY REAL ESTATE APPRAISERS BOARD OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) MAZE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2015-CA-000484-MR</a> NOT TO BE PUBLISHED	MADISON
883	FERRELL (NEWELLYNN) VS. BOARD OF TRUSTEES OF THE KENTUCKY RETIREMENT SYSTEMS OF THE COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) MAZE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2015-CA-000558-MR</a> NOT TO BE PUBLISHED	FRANKLIN
884	SMITH (BRANDON PAUL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) J. LAMBERT (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2015-CA-000652-MR</a> NOT TO BE PUBLISHED	LIVINGSTON
885	LEWIS (MARION PATRICK), ET AL. VS. LEWIS (MARION A.), ET AL. OPINION REVERSING DIXON (PRESIDING JUDGE) KRAMER (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2015-CA-000667-MR</a> NOT TO BE PUBLISHED	HENDERSON

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 3 of 9

886	LEE (TONY), ET AL. VS. BOTTOM (DON), WARDEN, ET AL OPINION AFFIRMING IN PART AND REVERSING IN PART VANMETER (PRESIDING JUDGE) ACREE (CONCURS) AND D. LAMBERT (CONCURS)	<a href="#">2015-CA-001077-MR</a> 2015-CA-001093-MR NOT TO BE PUBLISHED	BOYLE
887	M. (M.) VS. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES OPINION AFFIRMING MAZE (PRESIDING JUDGE) KRAMER (CONCURS) AND ACREE (CONCURS AND FILES SEPARATE OPINION)	<a href="#">2015-CA-001115-ME</a> 2015-CA-001116-ME NOT TO BE PUBLISHED	JEFFERSON
888	COMMONWEALTH OF KENTUCKY, ET AL. VS. PRIM (BILL A.), ET AL. OPINION VACATING AND REMANDING DIXON (PRESIDING JUDGE) KRAMER (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2015-CA-001148-MR</a> 2015-CA-001150-MR NOT TO BE PUBLISHED	CHRISTIAN
889	CRUMP (LARRY) VS. THOMPSON (LADONNA), COMMISSIONER OF DEPARTMENT OF CORRECTIONS OPINION AFFIRMING DIXON (PRESIDING JUDGE) ACREE (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2015-CA-001364-MR</a> NOT TO BE PUBLISHED	FRANKLIN
890	WRIGHT (SACHA N. DEES) VS. BRAMLETTE (JOYCE) OPINION AFFIRMING MAZE (PRESIDING JUDGE) JONES (CONCURS) AND NICKELL (CONCURS)	<a href="#">2015-CA-001396-ME</a> NOT TO BE PUBLISHED	BOYD

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 4 of 9

891	C. (B. J.), ET AL. VS. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION AFFIRMING KRAMER (PRESIDING JUDGE) NICKELL (CONCURS) AND THOMPSON (DISSENTS AND FILES SEPARATE OPINION)	<a href="#">2016-CA-000057-ME</a> NOT TO BE PUBLISHED	ANDERSON
892	C. (B. J.), ET AL. VS. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION AFFIRMING KRAMER (PRESIDING JUDGE) NICKELL (CONCURS) AND THOMPSON ( )	<a href="#">2016-CA-000058-ME</a> NOT TO BE PUBLISHED	ANDERSON

**ORDERS FOR THE WEEK ENDING 10/21/2016:**

**ORDERS DISMISSING:**

WILLIAM LOUIS ROGERS, JR.                      2014-CA-001988-MR                      NELSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 10/20/2016

TAMMY BRADSHAW, ET AL.                      2015-CA-001200-MR                      BULLITT  
VS.    2016-CA-000041-MR  
MOUNT WASHINGTON HEALTH CARE, LLC,  
D/B/A GREEN MEADOWS HEALTH CARE CENTER, LLC  
ENTERED: 10/20/2016

KARL PHILLIPS                                      2015-CA-001371-MR                      JEFFERSON  
VS.  
MARION GLEASON  
ENTERED: 10/20/2016

PATTI KENNEDY                                      2015-CA-001765-MR                      OWEN  
VS.  
TIMOTHY KENNEDY  
ENTERED: 10/20/2016

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 5 of 9

ROBERT EDWIN VAUGHN VS. COMMONWEALTH OF KENTUCKY ENTERED: 10/20/2016	2015-CA-001877-MR	BARREN
JOHN ANDERLE VS. MICHELLE ANDERLE ENTERED: 10/20/2016	2015-CA-001950-MR 2016-CA-000870-MR	JEFFERSON
OLIVER G. WESTERFIELD VS. COMMONWEALTH OF KENTUCKY ENTERED: 10/20/2016	2016-CA-000241-MR	BARREN
DEWAYNE E. VINCENT VS. COMMONWEALTH OF KENTUCKY ENTERED: 10/20/2016	2016-CA-000242-MR	BRECKINGRIDGE
JORDAN SMITHER VS. COMMONWEALTH OF KENTUCKY ENTERED: 10/20/2016	2016-CA-001027-MR	FAYETTE
KAREN HAMILTON TRULOCK VS. ELIZABETH PRESLEE FARMER, INDIVIDUALLY, ET AL. ENTERED: 10/20/2016	2016-CA-001034-I	FAYETTE
TRACY MARIE WOLFE HUBBARD VS. WILLIAM WOLFE ENTERED: 10/20/2016	2016-CA-001071-ME	LAUREL
CHRIS COOMER, ET AL. VS. ADAIR COUNTY BOARD OF ELECTIONS, ET AL. ENTERED: 10/21/2016	2016-CA-001187-MR	ADAIR
ROBERT MCMANNES VS. HON. CHRISTOPHER MEHLING, JUDGE, ET AL. ENTERED: 10/20/2016	2016-CA-001202-OA	KENTON

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 6 of 9

SANDRA DENISE REAGAN                                    2016-CA-001279-ME                                    FAYETTE  
VS.  
JENNIFER HOLLIS  
ENTERED: 10/20/2016

**ORDER DENYING PETITION FOR REHEARING:**

THEODORE H. LAVIT                                    2014-CA-001676-MR                                    MARION  
VS.  
CAROL S. MATTINGLY, ET AL.  
ENTERED: 10/20/2016

**ORDERS DENYING PETITION FOR WRIT OF MANDAMUS AND PROHIBITION:**

KAREEM M. EDWARDS                                    2016-CA-000964-OA                                    FAYETTE  
VS.  
HON. PAMELA GOODWINE, JUDGE, ET AL.  
ENTERED: 10/21/2016

DONALD MILLER                                    2016-CA-000965-OA                                    NELSON  
VS.  
HON. JOHN DAVID SEAY, JUDGE, ET AL.  
ENTERED: 10/21/2016

DR. JASON DESKINS                                    2016-CA-001096-OA                                    ESTILL  
VS.  
HON. MICHAEL DEAN, JUDGE, ET AL.  
ENTERED: 10/21/2016

CLEVELAND ASKEW, JR.                                    2016-CA-001160-OA                                    SHELBY  
VS.  
HON. CHARLES HICKMAN, JUDGE, ET AL.  
ENTERED: 10/21/2016

DEREK REIDY                                    2016-CA-001167-OA                                    JEFFERSON  
VS.  
HON. BRIAN EDWARDS, JUDGE, ET AL.  
ENTERED: 10/20/2016

BETHANY LONG                                    2016-CA-001212-OA                                    HARDIN  
VS.  
HON. KELLY MARK EASTON, JUDGE, ET AL.  
ENTERED: 10/21/2016

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 7 of 9

DANIEL P. FENNERTY                                  2016-CA-001250-OA                                  HARDIN  
VS.  
HON. KEN M. HOWARD, JUDGE, ET AL.  
ENTERED: 10/21/2016

**ORDER GRANTING PETITION FOR WRIT OF MANDAMUS:**

STEPHON TRAMBER                                  2016-CA-000829-OA                                  JEFFERSON  
VS.  
HON. OLU STEVENS, JUDGE, ET AL.  
ENTERED: 10/21/2016

**ORDER GRANTING IN PART AND DISMISSING IN PART PETITION FOR WRIT OF PROHIBITION:**

GAIL MARTIN, ET AL.                                  2016-CA-001172-OA                                  WARREN  
VS.  
HON. KEN HOWARD, SPECIAL JUDGE, ET AL.  
ENTERED: 10/20/2016

**ORDERS AFFIRMING:**

SHAWN TIGUE                                  2016-CA-000675-MR                                  BELL  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 10/21/2016

SEAN O. HUDDLESTON                                  2016-CA-000719-MR                                  JEFFERSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 10/21/2016

OSCAR UMAR GONAZLEZ                                  2016-CA-001242-MR                                  MORGAN  
VS.  
KATHY LITTERAL, WARDEN EASTERN KENTUCKY CORRECTIONAL COMPLEX  
ENTERED: 10/21/2016

TARA MCCLURE (NOW CHEEK)                                  2016-CA-001338-MR                                  CALLOWAY  
VS.  
JASON DON MCCLURE  
ENTERED: 10/21/2016

**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 8 of 9

**ORDERS FOR THE WEEK ENDING 10/28/2016:**

**ORDER MODIFYING OPINION:**

T.H. 2015-CA-001639-ME BATH  
VS.  
CABINET FOR HEALTH AND FAMILY SERVICES, COMMONWEALTH OF KENTUCKY, ET AL.  
ENTERED: 10/28/2016

**ORDERS DISMISSING:**

ANTOINETTE C. TAYLOR 2015-CA-000495-MR JEFFERSON  
VS.  
TACHAU MEEK PLC, ET AL.  
ENTERED: 10/25/2016

JOHN A. EWING, 2015-CA-001731-MR JEFFERSON  
A/K/A ALI EL BEY  
VS.  
NEBRASKA ALLIANCE REALTY COMPANY  
ENTERED: 10/25/2016

LAURA FAITH THOMAS 2016-CA-000148-ME FAYETTE  
VS.  
JOHN LESLIE THOMAS  
ENTERED: 10/24/2016

RAY "SIR FRIENDLY" BARKER, 2016-CA-000703-MR JEFFERSON  
SR.  
VS.  
CLARENCE YANCEY, ET AL.  
ENTERED: 10/25/2016

JOHN C. BARNETT, ET AL. 2016-CA-000808-MR MCCRACKEN  
VS.  
BILL GAIA, ET AL.  
ENTERED: 10/25/2016

THE ESTATE OF JOSEPH GILLIAM 2016-CA-000851-MR OLDHAM  
VS.  
JUSTICE & PUBLIC SAFETY, DEPARTMENT OF CORRECTIONS  
ENTERED: 10/25/2016



**COURT OF APPEALS OF KENTUCKY**

10/28/2016 AT 10:00 A.M.

PAGE 9 of 9

**ORDER DENYING PETITION FOR REHEARING:**

COMMONWEALTH OF KENTUCKY,  
TRANSPORTATION CABINET

2015-CA-001610-MR

MCCREARY

VS.

ROBERT J. WATSON, ET AL.

ENTERED: 10/24/2016

**ORDER DENYING MOTION FOR ADDITIONAL TIME TO FILE MOTION FOR DISCRETIONARY  
REVIEW:**

BREEVEL WHITE

2016-CA-000967-DR

HARDIN

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 10/24/2016