

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 1 OF 10

191	CARPENTER, SR. (JEFFERY L.) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING ABRAMSON (PRESIDING JUDGE) DIXON (CONCURS) AND HOWARD (CONCURS)	2004-CA-0971-MR NOT TO BE PUBLISHED	BUTLER
192	JACKSON (COLLEEN) VS. TULLAR, JR (WILLIAM GRANT), ET AL. OPINION REVERSING AND REMANDING DIXON (PRESIDING JUDGE) ABRAMSON (CONCURS) AND HOWARD (CONCURS)	2005-CA-1006-MR 2005-CA-1140-MR TO BE PUBLISHED	MCCRACKEN
193	PRATER (JODY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) DIXON (CONCURS) AND PAISLEY (CONCURS)	2005-CA-1072-MR NOT TO BE PUBLISHED	MAGOFFIN
194	STEPHENSON (DANA) VS. AMERICAN FAMILY MUTUAL INSURANCE COMPANY, ET AL. OPINION AFFIRMING IN PART AND VACATING AND REMANDING IN PART VANMETER (PRESIDING JUDGE) EMBERTON (CONCURS) AND KNOPF (CONCURS)	2005-CA-1199-MR TO BE PUBLISHED	JEFFERSON
195	AREND (DARYL) VS. BOARD OF EDUCATION OF BULLITT COUNTY, ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) WINE (CONCURS) AND PAISLEY (CONCURS)	2005-CA-1372-MR NOT TO BE PUBLISHED	BULLITT
196	BATTS (CHARLES L.), ET AL. VS. ILLINOIS CENTRAL RAILROAD CO. OPINION REVERSING AND REMANDING ABRAMSON (PRESIDING JUDGE) DIXON (CONCURS) AND HOWARD (CONCURS)	2005-CA-1594-MR TO BE PUBLISHED	MCCRACKEN

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 2 OF 10

197	GREEN TREE SERVICING LLC VS. PHELPS (SCOTT), ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND BUCKINGHAM (CONCURS)	2005-CA-1666-MR NOT TO BE PUBLISHED	PULASKI
198	HENSLEY (BENNIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2005-CA-1684-MR TO BE PUBLISHED	PULASKI
199	LEONARD (LENA), ET AL. VS. ST. CLAIRE MEDICAL CENTER, INC., ET AL. OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) VANMETER (CONCURS) AND KNOPF (CONCURS)	2005-CA-1706-MR NOT TO BE PUBLISHED	ROWAN
200	COATES (CHARLES ANTHONY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART REVERSING IN PART, AND REMANDING WINE (PRESIDING JUDGE) TAYLOR (CONCURS) AND PAISLEY (CONCURS)	2005-CA-1780-MR NOT TO BE PUBLISHED	JEFFERSON
201	MCBEE (BERNICE AUDREY), ET AL. VS. MCBEE (WILLIAM K.), ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) ABRAMSON (CONCURS) , VANMETER (CONCURS)	2005-CA-2020-MR NOT TO BE PUBLISHED	GRANT
202	WELLS (JANNIS SUE) VS. SALYERS (CALLIE) OPINION VACATING AND REMANDING HUDDLESTON (PRESIDING JUDGE) STUMBO (CONCURS) AND PAISLEY (DISSENTS)	2005-CA-2049-MR NOT TO BE PUBLISHED	FLOYD

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 3 OF 10

203	SELF (EDWARD C.) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING WINE (PRESIDING JUDGE) TAYLOR (CONCURS) AND PAISLEY (CONCURS IN PART AND DISSENTS IN PART AND FILES SEPARATE OPINION)	2005-CA-2234-MR 2005-CA-2564-MR NOT TO BE PUBLISHED	JEFFERSON
204	BROWN (JOHNNY T.) VS. THE LAKE CUMBERLAND AREA DRUG TASK FORCE, ET AL. OPINION VACATING AND REMANDING BUCKINGHAM (PRESIDING JUDGE) LAMBERT (CONCURS) AND STUMBO (CONCURS)	2005-CA-2330-MR NOT TO BE PUBLISHED	PULASKI
205	EVANS (FLOYD VANCE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND DIXON (CONCURS)	2005-CA-2385-MR NOT TO BE PUBLISHED	HARDIN
206	FISHER (ARTHUR R.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) WINE (CONCURS) AND EMBERTON (CONCURS)	2005-CA-2430-MR NOT TO BE PUBLISHED	HARDIN
207	LATENDRESSE (FRANCIS E.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) WINE (CONCURS) AND EMBERTON (CONCURS)	2005-CA-2431-MR NOT TO BE PUBLISHED	HARDIN
208	SHANKS (GARY) VS. WALTRIP (STEPHEN E.), ET AL. OPINION VACATING AND REMANDING KELLER (PRESIDING JUDGE) DIXON (CONCURS) AND ACREE (DISSENTS AND FILES SEPARATE OPINION)	2005-CA-2508-MR NOT TO BE PUBLISHED	FAYETTE

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 4 OF 10

209	ESTATE OF TONY TURNER VS. GLOBE INDEMNITY COMPANY OPINION AFFIRMING ACREE (PRESIDING JUDGE) TAYLOR (CONCURS) AND KNOPF (CONCURS)	2005-CA-2580-MR TO BE PUBLISHED	HARLAN
210	CALIHAN (SCOTT) VS. POWER MARKETING DIRECT, INC., ET AL. OPINION AFFIRMING ABRAMSON (PRESIDING JUDGE) HUDDLESTON (CONCURS) AND KNOPF (CONCURS)	2005-CA-2600-MR NOT TO BE PUBLISHED	FAYETTE
211	RIPPETOE (EDITH) VS. FEESE (WILLIE) OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2005-CA-2606-MR TO BE PUBLISHED	ADAIR
212	COMMONWEALTH OF KENTUCKY VS. SCALF (LEE) OPINION REVERSING AND REMANDING KNOPF (PRESIDING JUDGE) THOMPSON (CONCURS) AND WINE (CONCURS)	2006-CA-0002-MR NOT TO BE PUBLISHED	KENTON
213	SLONE (PHILLIP) VS. SLONE (TOBY SPRADLIN) OPINION VACATING AND REMANDING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0037-MR NOT TO BE PUBLISHED	FLOYD
214	ELZY (BRUCE A.), ET AL. VS. DILLMAN (MATTHEW P.), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) KNOPF (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0049-MR NOT TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 5 OF 10

215	POWERS (JOSEPH D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING WINE (PRESIDING JUDGE) THOMPSON (CONCURS) AND KNOPF (CONCURS)	2006-CA-0117-MR NOT TO BE PUBLISHED	HARDIN
216	PARK (ADRIENNE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) TAYLOR (CONCURS), AND KNOPF (CONCURS)	2006-CA-0145-MR TO BE PUBLISHED	JEFFERSON
217	MATNEY (WANDA) VS. CHANEY (JEFF) OPINION REVERSING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-0156-MR NOT TO BE PUBLISHED	PIKE
218	BUSH (JIMMY "BO") VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS), AND EMBERTON (CONCURS)	2006-CA-0232-MR NOT TO BE PUBLISHED	MENIFEE
219	FIEDLER (AMBER) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING VANMETER (PRESIDING JUDGE) KNOPF (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0249-MR NOT TO BE PUBLISHED	JEFFERSON
220	HOLSINGER, JR. (DR. JAMES W.), ET AL. VS. KROGER V-338 OPINION REVERSING ABRAMSON (PRESIDING JUDGE) KELLER (CONCURS) AND HOWARD (CONCURS)	2006-CA-0262-MR NOT TO BE PUBLISHED	MCCRACKEN

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 6 OF 10

221	CROUCH (SHERRY), ET AL. VS. BILBREY (BOBBY), ET AL. OPINION REVERSING AND REMANDING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-0276-MR NOT TO BE PUBLISHED	BATH
222	FUSTON (RICHARD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART AND VACATING AND REMANDING IN PART VANMETER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0299-MR TO BE PUBLISHED	WHITLEY
223	STINSON (WILLIAM E.) VS. MATTINGLY (WILLIAM), ET AL. OPINION REVERSING AND REMANDING ABRAMSON (PRESIDING JUDGE) DIXON (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0337-MR TO BE PUBLISHED	HARDIN
224	COLLINS (JERRY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND STUMBO (CONCURS)	2006-CA-0353-MR NOT TO BE PUBLISHED	LETCHER
225	JASPER, JR. (ARTHUR) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0356-MR NOT TO BE PUBLISHED	FAYETTE
226	RISNER (NORMAN), ET AL. VS. PATSY JANE COAL CORPORATION OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND STUMBO (CONCURS)	2006-CA-0375-MR NOT TO BE PUBLISHED	KNOTT

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 7 OF 10

227	MADISON (KEVIN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) EMBERTON (CONCURS), AND KNOFF (CONCURS)	2006-CA-0379-MR NOT TO BE PUBLISHED	JEFFERSON
228	CAUDILL (LAWRENCE) VS. STEPHENS (MELISSA), ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND STUMBO (CONCURS)	2006-CA-0477-MR NOT TO BE PUBLISHED	ROWAN
229	WAYNE COUNTY HOSPITAL, INCORPORATED VS. HARDWICK (LINDA LOUISE), ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-0505-ME NOT TO BE PUBLISHED	WAYNE
230	STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY VS. DEATON (TAMMY) OPINION REVERSING AND REMANDING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0510-MR NOT TO BE PUBLISHED	WHITLEY
231	MARTIN (LELAND D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) TAYLOR (CONCURS), AND PAISLEY (CONCURS)	2006-CA-0583-MR NOT TO BE PUBLISHED	WARREN
232	STACEY (ROY T.) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING KNOFF (PRESIDING JUDGE) THOMPSON (CONCURS) AND WINE (CONCURS)	2006-CA-0645-MR NOT TO BE PUBLISHED	NELSON

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 8 OF 10

233	TELLEZ (MARCO ANTONIO) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS AND FILES A SEPARATE OPINION) AND DIXON (CONCURS)	2006-CA-0793-MR NOT TO BE PUBLISHED	FAYETTE
234	HOWES (MARNA) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND STUMBO (CONCURS)	2006-CA-0951-MR NOT TO BE PUBLISHED	MAGOFFIN
235	CHENAULT (JATHNIEL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND DIXON (CONCURS)	2006-CA-1088-MR TO BE PUBLISHED	FAYETTE
236	RANDALL (JIMMY) VS. STEWART (JERI) OPINION REVERSING PAISLEY (PRESIDING JUDGE) TAYLOR (CONCURS) AND WINE (CONCURS)	2006-CA-1254-ME TO BE PUBLISHED	JEFFERSON
237	NEACE (BROWN LOE) VS. ASPLUNDH TREE EXPERT COMPANY, INC. ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) EMBERTON (DISSENTS)	2006-CA-1328-WC 2006-CA-1459-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
238	DARCY (JEROME) VS. MORGAN (JAMES L.), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) KNOPF (CONCURS) AND EMBERTON (CONCURS)	2006-CA-1357-MR NOT TO BE PUBLISHED	BOYLE

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 9 OF 10

239	MILLS (ULESS) VS. CTA ACOUSTICS, INC., ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND KNOPF (CONCURS)	2006-CA-1781-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
240	DAWAHARE'S, LLC VS. NICHOLS (NORA), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND EMBERTON (CONCURS)	2006-CA-1895-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
241	KNOTT FLOYD LAND CO. VS. FUGATE (ANDREW), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND EMBERTON (CONCURS)	2006-CA-1910-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

* * * * *

ORDERS DENYING PETITION FOR REHEARING:

COMMONWEALTH OF KENTUCKY,
TRANSPORTATION CABINET, ET AL.
VS.
HALL (DAN)
ENTERED:02/26/07

2005-CA-0862-MR

FLOYD

REINHARDT (BRIAN LEE)
VS.
MUDD (CAROLINE W.) ET AL.
ENTERED:02/26/07

2006-CA-1023-MR

MARION

COURT OF APPEALS OF KENTUCKY

03/02/2007 AT 2:00 P.M.

PAGE 10 OF 10

* * * * *

ORDER DENYING PETITION FOR WRIT OF PROHIBITION:

MAMMOTH MEDICAL, INC.	2007-CA-0055-OA	IN COURT OF
VS.		APPEALS
HON. PHILIP R. PATTON, JUDGE,		
JEFFERSON CIRCUIT COURT, ET AL.		
ENTERED:2/26/07		

* * * * *

ORDERS DISMISSING:

PONDEROSA STEAKHOUSE	2005-CA-1723-MR	PERRY
VS.		
GIBSON (DALEDITH)		
ENTERED:2/26/07		

ACKLEY (CHARLES)	2006-CA-0252-MR	JEFFERSON
VS.		
COMMONWEALTH OF KENTUCKY		
ENTERED:2/26/07		