

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 1 OF 14

516.	MILLS (WILLIAM LARRY) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING MCANULTY (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2002-CA-001350-DG NOT TO BE PUBLISHED	MARION
517.	PROVIDIAN NATIONAL BANK VS. WOODS (TIMOTHY) OPINION REVERSING BUCKINGHAM (PRESIDING JUDGE) JOHNSON (CONCURS) AND SCHRODER (CONCURS)	2003-CA-000094-MR NOT TO BE PUBLISHED	JEFFERSON
518.	RUCKER (DONALD) VS. BARNES (WILLIAM E.), ET AL. OPINION AND ORDER DISMISSING VANMETER (PRESIDING JUDGE) BARBER (CONCURS) AND HUDDLESTON (CONCURS)	2003-CA-000637-MR NOT TO BE PUBLISHED	LIVINGSTON
519.	GEORGE (ROCKLAND), ET AL. VS. GEORGE (ELOISE T.) OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) MCANULTY (CONCURS) AND TAYLOR (CONCURS)	2003-CA-000778-MR 2004-CA-000266-MR NOT TO BE PUBLISHED	BOYD
520.	FORGIE (RONALD) VS. FORGIE (SUSAN E.) OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2003-CA-000814-MR NOT TO BE PUBLISHED	HARDIN

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 2 OF 14

521.	CLEVINGER (PAUL), ET AL. VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND BUCKINGHAM (CONCURS)	2003-CA-001610-MR NOT TO BE PUBLISHED	FRANKLIN
522.	COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET VS. MILBY, JR. (BOYCE PHILLIP), ET AL. OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2003-CA-001709-MR NOT TO BE PUBLISHED	GREEN
523.	SPALDING (MICHAEL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2003-CA-001842-MR NOT TO BE PUBLISHED	JEFFERSON
524.	ISON (BOBBIE LYNN) VS. ASHLAND HOSPITAL CORPORATION OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND HENRY (CONCURS)	2003-CA-001867-MR NOT TO BE PUBLISHED	BOYD
525.	MAGOLIS (FRANK LAWRENCE) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING IN PART, VACATING IN PART, AND REMANDING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND HENRY (CONCURS)	2003-CA-002076-MR NOT TO BE PUBLISHED	GRAYSON

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 3 OF 14

526.	MC CLOUD (RON) VS. MC CLOUD (SHEILA DIANA) OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) DYCHE (CONCURS) AND VANMETER (CONCURS)	2003-CA-002185-MR NOT TO BE PUBLISHED	GREENUP
527.	SMITH (ERIC SHAWN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2003-CA-002212-MR NOT TO BE PUBLISHED	FAYETTE
528.	CAUDILL (HERBERT MARSHALL) VS. SMITH (FRANK D.), ET AL. OPINION AFFIRMING TACKETT (PRESIDING JUDGE) DYCHE (CONCURS) AND KNOPF (CONCURS)	2003-CA-002282-MR NOT TO BE PUBLISHED	JESSAMINE
529.	LAWSON (LESLIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING JOHNSON (PRESIDING JUDGE) MCANULTY (CONCURS) AND HUDDLESTON (CONCURS)	2003-CA-002350-MR NOT TO BE PUBLISHED	LAUREL
530.	BEALL (CHARLES V.), ET AL. VS. EQUINE TRANSITIONAL TRAINING ALLIANCE, INC. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) HENRY (CONCURS) AND EMBERTON (CONCURS)	2003-CA-002356-MR NOT TO BE PUBLISHED	BOURBON

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 4 OF 14

531.	BULLOCK (DENVER C.), ET AL. VS. SPRUILL (JOHNNIE), ET AL. OPINION AFFIRMING TACKETT (PRESIDING JUDGE) KNOPF (CONCURS) AND EMBERTON (CONCURS)	2003-CA-002614-MR NOT TO BE PUBLISHED	PULASKI
532.	COMMONWEALTH OF KENTUCKY VS. GEVORGIYAN (ANDREY) OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS IN RESULT) AND JOHNSON (DISSENTS AND FILES SEPARATE OPINION)	2003-CA-002743-MR NOT TO BE PUBLISHED	WARREN
533.	PEAK (MICHAEL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-000178-MR NOT TO BE PUBLISHED	BUTLER
534.	SEBREE (RONALD G.) VS. KENTUCKY STATE POLICE, COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) MINTON (CONCURS) AND TACKETT (CONCURS)	2004-CA-000273-MR NOT TO BE PUBLISHED	FRANKLIN
535.	MATTINGLY (STEPHEN JOSEPH) VS. MATTINGLY (KRISTIE KEISKER), NOW ELKINS OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) JOHNSON (CONCURS) AND SCHRODER (CONCURS)	2004-CA-000314-MR TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 5 OF 14

536.	THE ESTATE OF KENNETH PRICE, ET AL. VS. TOWNSEND (CONNIE) OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-000354-MR NOT TO BE PUBLISHED	WEBSTER
537.	CONLEY (VADA ANN) VS. CONLEY (DANNY KEITH) OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING TACKETT (PRESIDING JUDGE) KNOPF (CONCURS) AND EMBERTON (CONCURS)	2004-CA-000369-MR NOT TO BE PUBLISHED	JOHNSON
538.	WANTLAND (J. SCOTT), ET AL. VS. KENTUCKY STATE BOARD OF ELECTIONS, ET AL. OPINION AFFIRMING KNOPF (PRESIDING JUDGE) COMBS (CONCURS) AND DYCHE (CONCURS)	2004-CA-000508-MR NOT TO BE PUBLISHED	FRANKLIN
539.	STATHIS (MICHAEL G.) VS. UNIVERSITY OF KENTUCKY, ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING MILLER (PRESIDING JUDGE) TACKETT (CONCURS) AND VANMETER (CONCURS IN PART, DISSENTS IN PART, AND FILES SEPARATE OPINION)	2004-CA-000556-MR NOT TO BE PUBLISHED	FAYETTE
540.	G.D. VS. CABINET FOR FAMILIES AND CHILDREN, ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) JOHNSON (CONCURS) AND SCHRODER (CONCURS)	2004-CA-000610-ME NOT TO BE PUBLISHED	FRANKLIN

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 6 OF 14

541.	BENNINGTON (STEVEN L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-000618-MR NOT TO BE PUBLISHED	JEFFERSON
542.	WHITE (SAMUEL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) HENRY (CONCURS) AND MILLER (CONCURS)	2004-CA-000672-MR NOT TO BE PUBLISHED	JEFFERSON
543.	HURLEY (BARBARA), ET AL. VS. GREEN (VANCE) OPINION AND ORDER DISMISSING SCHRODER (PRESIDING JUDGE) HENRY (CONCURS) AND EMBERTON (CONCURS)	2004-CA-000685-MR NOT TO BE PUBLISHED	LYON
544.	GOBLE (RICHARD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) HENRY (CONCURS) AND EMBERTON (CONCURS)	2004-CA-000713-MR NOT TO BE PUBLISHED	NELSON
545.	ROSS (DONNA). FORMERLY HENNIES VS. HENNIES (ANTHONY W.) OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) MINTON (CONCURS) AND TACKETT (CONCURS)	2004-CA-000835-ME NOT TO BE PUBLISHED	KENTON

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 7 OF 14

546.	RIGGS (LARRY RAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-000852-MR NOT TO BE PUBLISHED	HARDIN
547.	DUNCAN (WILLIAM DALE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-000902-MR NOT TO BE PUBLISHED	MUHLENBERG
548.	KIDD (TERESA) VS. KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) BARBER (CONCURS) AND JOHNSON (CONCURS)	2004-CA-000906-MR NOT TO BE PUBLISHED	FAYETTE
549.	MILLS (O. V.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING BUCKINGHAM (PRESIDING JUDGE) BARBER (CONCURS) AND JOHNSON (CONCURS)	2004-CA-000926-MR NOT TO BE PUBLISHED	KNOX
550.	YOUNG (JOHN T.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND JOHNSON (CONCURS)	2004-CA-001137-MR NOT TO BE PUBLISHED	HOPKINS

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 8 OF 14

551.	WOOSLEY (SHERRILL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) HENRY (CONCURS) AND EMBERTON (CONCURS)	2004-CA-001224-MR NOT TO BE PUBLISHED	GRAYSON
552.	SOMERSET BOARD OF EDUCATION VS. PERKINS (ALICE F.), ET AL. OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2004-CA-001481-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
553.	GRAHAM (WAYNE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) BARBER (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-001543-MR NOT TO BE PUBLISHED	HENDERSON
554.	MIKE MORRIS, ETC. VS. SANDLIN (DONNIE), ET AL. OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) JOHNSON (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-001607-WC 2004-CA-001747-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
555.	TURNER (JOE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) HENRY (CONCURS) AND SCHRODER (CONCURS)	2004-CA-001796-MR NOT TO BE PUBLISHED	ALLEN

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 9 OF 14

556.	DAY (EDGAR), ET AL. VS. 17 WEST MINING, INC., ET AL. OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2004-CA-001867-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
557.	RATLIFF (LEE) VS. MOUNTAIN MASONRY, ET AL. OPINION AFFIRMING DYCHE (PRESIDING JUDGE) SCHRODER (CONCURS) AND VANMETER (CONCURS)	2004-CA-002557-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
558.	SLAVEN (GARY PAUL) VS. GENERAL ELECTRIC COMPANY, ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) BARBER (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-002567-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
559.	MANALAPAN MINING COMPANY, INC. VS. HUBBARD (VIRGIL), ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) DYCHE (CONCURS) AND VANMETER (CONCURS)	2005-CA-000154-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
560.	BASTIN (MICHELLE) VS. NORTON SUBURBAN HOSPITAL, ET AL. OPINION AFFIRMING MILLER (PRESIDING JUDGE) COMBS (CONCURS) AND GUIDUGLI (CONCURS)	2005-CA-000171-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 10 OF 14

ORDERS AFFIRMING:

HARDIN (MICHAEL TODD) 2005-CA-0299-MR MARION
VS.
MUDD (CAROLINE)
ENTERED: 5/11/05

HOWELL (BURELL) 2005-CA-0382-MR MUHLENBERG
VS.
GREEN RIVER CORRECTIONAL COMPLEX
ENTERED: 5/11/05

DEW (LARRY) 2005-CA-0831-MR LYON
VS.
SIMPSON (THOMAS)
ENTERED: 5/11/05

ADAMS (DEMETRIUS) 2005-CA-0832-MR LYON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

ORDERS DENYING PETITION FOR REHEARING:

GROCE (GREGORY KANE) 2003-CA-1780-MR CLINTON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

ORDERS DENYING PETITION FOR REHEARING (CONTINUED):

SPIVEY (RANDALL) 2004-CA-0987-MR JACKSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 11 OF 14

ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:

DAILEY (JAMIE) VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/11/05	2004-CA-2220-DR	WAYNE
C.N., A JUVENILE VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/10/05	2004-CA-2227-DR	UNION
THOMPSON (THOMAS M.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/10/05	2005-CA-0028-DR	MONTGOMERY
MATTINGLY, JR. (JOSEPH C.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/10/05	2005-CA-0388-DR	FAYETTE
N.S., A CHILD UNDER EIGHTEEN VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/11/05	2005-CA-0459-DR	HENDERSON
HELTON (RANDY T.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/11/05	2005-CA-0479-DR	KNOX
WESLEY (TIMOTHY) VS. COMMONWEALTH OF KENTUCKY ENTERED: 5/11/05	2005-CA-0552-DR	FAYETTE

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 13 OF 14

A.R., BY HIS NEXT FRIEND, S.R., HIS FATHER
VS.
BOYLE COUNTY PUBLIC SCHOOLS, ET AL.
ENTERED: 5/10/05

2005-CA-0732-MR

BOYLE

ORDERS DISMISSING:

BURTON (CONNIE)
VS.
KNIGHT (JAMES), ET AL.
ENTERED: 5/12/05

2003-CA-0114-MR

TAYLOR

ABNEY (GEORGE RUSSELL)
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

2004-CA-0162-MR

EDMONSON

AKERS (RODNEY)
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

2004-CA-1602-MR

PIKE

HICKS (CHRISTOPHER LYNN)
VS.
BAPTIST HEALTHCARE SYSTEMS, INC., ET AL.
ENTERED: 5/12/05

2004-CA-2003-MR

MCCRACKEN

COMMONWEALTH OF KENTUCKY
VS.
YOUNG (ROBERT)
ENTERED: 5/10/05

2004-CA-2647-MR

CALLOWAY

CARBONEL (JAMES PATRICK)
VS.
PORTER (DONALD L.), ET AL.
ENTERED: 5/12/05

2005-CA-0203-MR

LYON

ORDERS DISMISSING (CONTINUED):

COURT OF APPEALS OF KENTUCKY

05/13/2005 AT 10:00 A.M.

PAGE 14 OF 14

HELTON (RANDY T.) 2005-CA-0421-MR KNOX
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 5/11/05

COMMONWEALTH OF KENTUCKY 2005-CA-0461-NR MASON
VS.
TUCKER (MICHAEL DAVID)
ENTERED: 5/11/05

ORDER FROM PREVIOUS WEEK ENDING MAY 6, 2005:
ORDER DENYING PETITION FOR REHEARING:

HARRIS (VENITA GAIL), ETC, ET AL. 2003-CA-2736-MR WARREN
VS.
HEWITT, M.D. (KEITH A.), ET AL.
ENTERED: 5/6/05