

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

25. COMMONWEALTH OF KENTUCKY V. [2002-SC-001009-DG](#) JEFFERSON
C.J., A CHILD TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE JOHNSTONE – AFFIRMING
KELLER, J., DISSENTS BY SEPARATE
OPINION.
26. EDSEL EUGENE HALE V. [2003-SC-000284-MR](#) LAUREL
COMMONWEALTH OF KENTUCKY TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE KELLER – AFFIRMING
27. ADRIAN S. YORK V. [2003-SC-000334-DG](#) JACKSON
KENTUCKY FARM BUREAU TO BE PUBLISHED
MUTUAL INSURANCE CO.
AND
ANGELA PREWITT V. [2003-SC-000338-DG](#) JACKSON
KENTUCKY FARM BUREAU MUTUAL TO BE PUBLISHED
INSURANCE COMPANY
OPINION OF THE COURT BY
JUSTICE GRAVES – AFFIRMING
LAMBERT, C.J., DISSENTS BY
SEPARATE OPINION IN WHICH
SCOTT, AND WINTERSHEIMER,
J.J., JOIN.
28. JASON WEAVER V. [2003-SC-000353-DG](#) JEFFERSON
COMMONWEALTH OF KENTUCKY TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE JOHNSTONE – AFFIRMING
KELLER, J., DISSENTS BY SEPARATE
OPINION, WITH LAMBERT, C.J., AND
SCOTT, J., JOINING THAT DISSENT.

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

29. KEVIN RAY HILLARD V. [2002-SC-000702-MR](#) OHIO
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER – AFFIRMING IN
PART AND VACATING IN PART.
JOHNSTONE, J., DISSENTS BY
SEPARATE OPINION.
30. DRAVO LIME COMPANY, INC. V. [2003-SC-001027-WC](#) FROM COURT
GLENN EAKINS, ET AL **TO BE PUBLISHED** OF APPEALS
AND
GLENN EAKINS V. [2003-SC-001042-WC](#) FROM COURT
DRAVO LIME COMPANY, INC., **TO BE PUBLISHED** OF APPEALS
ET AL
OPINION OF THE COURT – AFFIRMING
IN PART AND REVERSING IN PART.
31. STEVEN A. GERLAUGH V. [2002-SC-000382-MR](#) MONTGOMERY
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER – REVERSING
AND REMANDING.
WINTERSHEIMER, J., DISSENTS BY
SEPARATE OPINION, WITH SCOTT, J.,
JOINING THAT DISSENTING OPINION.
32. JOANN BRUMMITT V. [2003-SC-001028-WC](#) FROM COURT
SOUTHEASTERN KENTUCKY **TO BE PUBLISHED** OF APPEALS
REHABILITATION INDUSTRIES,
ET AL
OPINION OF THE COURT -
REVERSING AND REMANDING.
COOPER, J., DISSENTS BY SEPARATE
OPINION IN WHICH GRAVES, J., JOINS.

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

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| 33. | GRAYSON COUNTY BOARD OF
EDUCATION V.
JOSEPH W. CASEY
OPINION OF THE COURT BY
JUSTICE COOPER – <u>REVERSING.</u>
WINTERSHEIMER, J., CONCURS IN
RESULT ONLY WITHOUT SEPARATE
OPINION. | <u>2003-SC-000208-DG</u>
TO BE PUBLISHED | GRAYSON |
| 34. | ERIC LLOYD HERMANSEN V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
- <u>DENYING.</u> | <u>2004-SC-001132-OA</u>
NOT TO BE PUBLISHED | IN SUPREME
COURT |
| 35. | UZELL MCFARLAND V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u>
COOPER, J., FILES A SEPARATE
OPINION CONCURRING IN PART
AND DISSENTING IN PART. | <u>2002-SC-000790-MR</u>
NOT TO BE PUBLISHED | EDMONSON |
| 36. | DAVID BLAIR V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | <u>2002-SC-000834-MR</u>
NOT TO BE PUBLISHED | BOYD |
| 37. | JOHN PATRICK MCCREARY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | <u>2003-SC-000210-MR</u>
NOT TO BE PUBLISHED | JEFFERSON |
| 38. | KAREN ADAMS V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | <u>2003-SC-000383-MR</u>
NOT TO BE PUBLISHED | HENRY |

SUPREME COURT OF KENTUCKY

MINUTES

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| 39. | NALLY AND HAMILTON
ENTERPRISES V.
CORBAL LEE SMITH, ET AL
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2003-SC-000568-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 40. | EDWARD RODRIGUEZ V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2003-SC-000619-MR
NOT TO BE PUBLISHED | CHRISTIAN |
| 41. | THOMAS TALLEY III V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u>
LAMBERT, C.J., AND COOPER, J.,
CONCUR IN RESULT ONLY. | 2003-SC-000869-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 42. | TRI-STATE ROOFING AND
SHEET METAL, INC. V.
STEVEN HENSLEY, ET AL
AND
STEVEN HENSLEY V.
TRI-STATE ROOFING AND
SHEET METAL, ET AL
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2003-SC-000971-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| | | 2003-SC-000979-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 43. | JESSE SAYLOR V.
MANALAPAN MINING CO.,
ET AL
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2004-SC-000170-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 44. | JERRY L. ENDSLEY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2004-SC-000356-MR
NOT TO BE PUBLISHED | CAMPBELL |

SUPREME COURT OF KENTUCKY

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45. THE LEXINGTON-FAYETTE URBAN [2004-SC-000458-MR](#) FAYETTE
COUNTY GOVERNMENT V. **NOT TO BE PUBLISHED**
THE HONORABLE THOMAS L. CLARK
JUDGE, FAYETTE CIRCUIT COURT
ET AL
**MEMORANDUM OPINION OF THE
COURT – AFFIRMING.**
46. DERRICK SANCHO LOVING V. [2003-SC-001041-MR](#) LOGAN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF THE
COURT – AFFIRMING AND
REMANDING.**
47. RANDY D. BROWN V. [2004-SC-000021-MR](#) BUTLER
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF THE
COURT – AFFIRMING IN PART AND
REVERSING IN PART, AND REMADING.**
WINTERSHEIMER, J., CONCURS IN PART,
AND DISSENTS IN PART AS TO THE
REVERSAL OF APPELLANT’S CONVICTION
ON THE POSSESSION CHARGE. KELLER,
J. , DISSENTS BY SEPARATE OPINION,
WITH GRAVES, J., JOINING THAT DISSENT.
48. JOHN KNIPP V. [2003-SC-000039-MR](#) CARTER
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF THE
COURT – AFFIRMING IN PART,
AND REVERSING IN PART.**
COOPER, JOHNSTONE, AND
KELLER, J.J., CONCURRING RESULT
ONLY. WINTERSHEIMER, J.,
CONCURS IN PART AND DISSENTS
IN PART AS TO THE REVERSAL OF
THE BURGLARY CONVICTION.

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

OPINION AND ORDERS ENTERED FEBRUARY 17, 2005.

DAVID MICHAEL SPROULL V.
KENTUCKY BAR ASSOCIATION
**OPINION & ORDER GRANTING
MOVANT'S REINSTATEMENT TO THE
KENTUCKY BAR ASSOCIATION.**

[1999-SC-000597-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

ROSCOE C. BRYANT, III V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER THAT MOVANT
BE READMITTED TO THE PRACTICE
OF LAW IN THE STATE OF KENTUCKY.**

[2004-SC-000918-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
DAVID P. CHINN
**OPINION AND ORDER THAT
RESPONDENT BE SUSPENDED
FROM THE PRACTICE OF LAW FOR
THREE YEARS TO RUN CONSECUTIVELY
WITH THE CURRENT SUSPENSION.**

[2004-SC-001010-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

INQUIRY COMMISSION V.
BARRY SLOAN SMITH
**OPINION AND ORDER THAT
RESPONDENT BE TEMPORARILY
SUSPENDED FROM THE PRACTICE
OF LAW IN KENTUCKY.**

[2004-SC-001014-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

JOHN R. HANSEN V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER THAT MOVANT
BE PUBLICLY REPRIMANDED.**

[2004-SC-001102-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

MICHAEL E. CAUDILL V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER THAT MOVANT
BE PERMANENTLY DISBARRED FROM
THE PRACTICE OF LAW IN KENTUCKY.**

[2004-SC-001111-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

OPINION AND ORDERS ENTERED FEBRUARY 17, 2005.

DONNA K. MCNEW V.

KENTUCKY BAR ASSOCIATION

**OPINION AND ORDER THAT MOVANT
BE PERMANENTLY DISBARRED FROM
THE PRACTICE OF LAW IN KENTUCKY.**

[2004-SC-001122-KB](#)

TO BE PUBLISHED

**IN SUPREME
COURT**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005**

**ROWAN COUNTY, KENTUCKY,
ET AL V.
WILLIAM SLOAS**

2003-SC-000938-DG

ROWAN

**CHARLES A. KUBAJAK, JR. V.
LEXINGTON-FAYETT URBAN
COUNTY GOVERNMENT**

2003-SC-000953-DG

FAYETTE

**GENERAL ELECTRIC COMPANY V.
DENNIS CAIN, ET AL**

2004-SC-000043-DG

JEFFERSON

**AMERICAN PHYSICIANS ASSURANCE
CORPORATION, SUCCESSOR TO
KENTUCKY MEDICAL INSURANCE
CORPORATION V.
STEVEN L. SCHMIDT, ETC., ET AL**

2004-SC-000171-DG

JEFFERSON

**JULES S. ROBERIE, ET AL V.
ROBERT W. VONBOKERN, ET AL**

2004-SC-000250-DG

OWEN

**BINTA MARYAM BARAKA V.
COMMONWEALTH OF KENTUCKY**

2004-SC-000256-DG

FAYETTE

**AIK SELECTIVE SELF-INSURANCE
FUND V.
MARY E. MINTON, ETC., ET AL**

2004-SC-000326-DG

RUSSELL

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

EVA HOOFNEL V. JAMES SEGAL, M.D., ET AL	2004-SC-000381-DG	JEFFERSON
COMMONWEALTH OF KENTUCKY V. MICHAEL KELLY	2004-SC-000385-DG	FAYETTE
LLOYD KNOTTS, ET AL V. ZURICH INSURANCE COMPANY, ET AL	2004-SC-000400-DG	JEFFERSON
GEORGE R. O'BRYAN V. DWIGHT V. CAVE	2004-SC-000407-DG	JEFFERSON
COMMONWEALTH OF KENTUCKY V. DERWIN WAYNE FIELDS	2004-SC-000417-DG	FAYETTE
OLFICE, INC. D/B/A CLUB OLYMPIC V. SAMUEL WILKEY	2004-SC-000514-DG	WARREN
BELL COUNTY COAL CORPORATION ET AL V. CUMBERLAND VALLEY CONTRACTORS, INC., ET AL	2004-SC-001121-DG	BELL

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

MURRAY-CALLOWAY COUNTY PUBLIC HOSPITAL CORPORATION ET AL V. CALLOWAY COUNTY FISCAL COURT	2004-SC-000098-D	CALLOWAY
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SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

CITY UTILITY COMMISSION OF THE CITY OF OWENSBORO, KENTUCKY A/K/A OWENSBORO MUNICIPAL UTILITIES V. PAUL K. PHELPS OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000187-D	DAVIESS
ARIF M. OMAR, M.D., FACC V. JEWISH HOSPITAL HEALTHCARE SERVICES, INC., ET AL	2004-SC-000209-D	JEFFERSON
SANDRA BROCK V. TAMMY HARRIS, ET AL	2004-SC-000214-D	BELL
CHARLES DEMETRIC JACKSON V. VERTNER L. TAYLOR	2004-SC-000235-D	FRANKLIN
JEFFERSON COUNTY FISCAL COURT ET AL V. KELVIN BROOKS, ET AL	2004-SC-000241-D	JEFFERSON
PETSMART, INC. V. VICKI JENKINS	2004-SC-000251-D	BOONE
EPI CORPORATION, D/B/A SUMMIT MANOR NURSING HOME, ET AL V. TONIA MURPHY, ETC., ET AL	2004-SC-000267-D	ADAIR
DONNIE GAMBREL V. COMMONWEALTH OF KENTUCKY	2004-SC-000273-D	KNOX
WILLIAM JOSEPH PHILLIPS V. COMMONWEALTH OF KENTUCKY	2004-SC-000292-D	MUHLENBERG
RACHEL BALL V. WILLIAM SLONE	2004-SC-000299-D	MARTIN

SUPREME COURT OF KENTUCKY

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FEBRUARY 17, 2005

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COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

FLOYD WHITFIELD V. COMMONWEALTH OF KENTUCKY	2004-SC-000327-D	JEFFERSON
STEVEN C. SCHWARTZ V. DANIEL K. COYLE, ET AL COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000333-D	JEFFERSON
WILLIAM WHEELER V. MONETTE WHEELER	2004-SC-000334-D	FAYETTE
STEVE YANCEY V. JOHN AUBREY, SHERIFF OF JEFFERSON COUNTY, KENTUCKY	2004-SC-000360-D	JEFFERSON
CECIL MANGRUM V. SHIRLEY DAVIDSON	2004-SC-000363-D	MUHLENBERG
CLIFFORD EUGENE JEFFREY V. NAOMI GAIL BIRLEY JEFFREY	2004-SC-000373-D	BELL
KEITH DRAPER V. COMMONWEALTH OF KENTUCKY	2004-SC-000384-D	JEFFERSON
JASON EMBRY V. COMMONWEALTH OF KENTUCKY	2004-SC-000389-D	KENTON
TAIWAN LAMAR WHITE V. COMMONWEALTH OF KENTUCKY	2004-SC-000396-D	CHRISTIAN
TERRY BUTLER V. KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL COURT OF APPEALS OPINION ORDERED NOT TO BE PUBLISHED.	2004-SC-000405-D	BOONE

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

VINCENT D. ADAMS V. COMMONWEALTH OF KENTUCKY	2004-SC-000406-D	JEFFERSON
LARRY WHITTLE, ET AL V. WARD CORRELL, ET AL	2004-SC-000414-D	FRANKLIN
ALLSTATE INDEMNITY COMPANY V. JAMES RILEY	2004-SC-000422-D	MARSHALL
TONY SAWYER V. COMMONWEALTH OF KENTUCKY	2004-SC-000424-D	WARREN
CHARLES DAVIS V. COMMONWEALTH OF KENTUCKY	2004-SC-000428-D	FRANKLIN
MATTHEW ROBINSON V. COMMONWEALTH OF KENTUCKY	2004-SC-000431-D	BARREN
JOE RAY TURNER V. COMMONWEALTH OF KENTUCKY	2004-SC-000438-D	ALLEN
DAVID HUFFMAN V. COMMONWEALTH OF KENTUCKY	2004-SC-000445-D	PIKE
ADDINGTON MINING, INC. V. MARIE MOORE, ETC., ET AL COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED	2004-SC-000450-D	PIKE
MARVIN MURRELL V. COMMONWEALTH OF KENTUCKY	2004-SC-000484-D	CAMPBELL
GAMBA OBA V. COMMONWEALTH OF KENTUCKY	2004-SC-000493-D	CAMPBELL
LARRY ADKINS V. COMMONWEALTH OF KENTUCKY	2004-SC-000525-D	JESSAMINE

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005

THE ESTATE OF GROVER CHILDERS ET AL V. MYRTLE CHILDERS, ET AL COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000545-D	JEFFERSON
WILLIAM EDWARD OWINGS V. COMMONWEALTH OF KENTUCKY	2004-SC-000577-D	CLARK
VICTOR HUMPHREY V. COMMONWEALTH OF KENTUCKY	2004-SC-000587-D	JEFFERSON
JACK RANDALL KIRK V. COMMONWEALTH OF KENTUCKY	2004-SC-000615-D	BOYD
LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT V. STANLEY MADDEN, ET AL	2004-SC-000640-D	JEFFERSON
HERBERT HOOD V. COMMONWEALTH OF KENTUCKY	2004-SC-000642-D	WHITLEY
COMMONWEALTH OF KENTUCKY V. NATHANIEL M. BARBER, JR.	2004-SC-000673-D	MUHLENBERG
JIMMY DANIEL V. COMMONWEALTH OF KENTUCKY	2004-SC-000691-D	MARTIN
CARLTON GALLMAN V. COMMONWEALTH OF KENTUCKY	2004-SC-000844-D	BOYD
SHAWN KIRBY OGDEN V. COMMONWEALTH OF KENTUCKY	2004-SC-000849-D	FAYETTE
BONITA HARDIN V. OMNI TRAVEL, INC., ET AL	2004-SC-000858-D	TAYLOR

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED FEBRUARY 9, 2005**

COMMONWEALTH OF KENTUCKY V. STEPHEN G. LAMB	2004-SC-000898-D	MUHLENBERG
STEVEN K. LANE V. COMMONWEALTH OF KENTUCKY	2004-SC-000900-D	DAVISS
ROBERT L. HILL V. COMMONWEALTH OF KENTUCKY	2004-SC-000962-D	HENDERSON
COREY JOHN RICHARDSON V. CHRISTINA LYNN NICHOLS	2004-SC-000986-D	JEFFERSON
DANIEL WOLENS V. DEENA OMBRES WOLENS, ET AL	2004-SC-001004-D	JEFFERSON
MICHAEL CRAVEN V. ROBERTA ADKINS, ET AL	2004-SC-001018-D	CARTER
ERIC GRUNDY V. COMMONWEALTH OF KENTUCKY	2004-SC-001118-D	MARION
JAMES L. MORROW V. COMMONWEALTH OF KENTUCKY	2005-SC-000012-D	JEFFERSON

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF
TIME TO FILE A MOTION FOR DISCRETIONARY REVIEW**

CHERLYN PARRISH, M.D. V. THE KENTUCKY BOARD OF MEDICAL LICENSURE, AND IT'S MEMBERS, ET AL ENTERED: FEBRUARY 9, 2005	2004-SC-001115-D	JEFFERSON
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SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF
TIME TO FILE A MOTION FOR DISCRETIONARY REVIEW**

DANNY NEWSOM V.
COMMONWEALTH OF KENTUCKY
ENTERED: FEBRUARY 14, 2005

2004-SC-001120-MR

PIKE

SCOTTIE ELKINS V.
COMMONWEALTH OF KENTUCKY
ENTERED: FEBRUARY 9, 2005

2005-SC-000016-D

LAUREL

JAMES LANG V.
KENTUCKY PAROLE BOARD
ENTERED: FEBRUARY 11, 2005

2005-SC-000026-D

FRANKLIN

COURT ORDERS GRANTING MOTION TO TRANSFER

LEE BREWER V.
COMMONWEALTH OF KENTUCKY
AND
ROSALEE BREWER V.
COMMONWEALTH OF KENTUCKY
ENTERED: FEBRUARY 17, 2005

2004-SC-001105-TG

OWEN

2004-SC-001106-TG

OWEN

GERALD WILLIAMS V.
COMMONWEALTH OF KENTUCKY
ENTERED: JANUARY 21, 2005

2005-SC-000035-TG

MAGOFFIN

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS GRANTING MOTION TO TRANSFER

ERNIE FLETCHER, ETC., ET AL V. COMMONWEALTH OF KENTUCKY, OFFICE OF THE ATTORNEY GENERAL, EX REL GREGORY STUMBO, ET AL AND	2005-SC-000046-TG	FRANKLIN
COMMONWEALTH OF KENTUCKY, DEPT. OF THE TREASURY, ACTING THROUGH THE TREASURER OF THE COMMONWEALTH, JONATHAN MILLER V. COMMONWEALTH OF KENTUCKY, OFFICE OF ATTORNEY GENERAL, EX REL GREGORY STUMBO, ET AL AND	2005-SC-000050-TG	FRANKLIN
CHARLES GEVEDEN, ET AL V. COMMONWEALTH OF KENTUCKY, EX REL GOVERNOR ERNIE FLETCHER, ET AL ENTERED: JANUARY 20, 2005	2005-SC-000049-TG	FRANKLIN
DANA SEUM STEPHENSON V. VIRGINIA L. WOODWARD, ET AL ENTERED: FEBRUARY 4, 2005	2005-SC-000096-TG	FRANKLIN
DAVID L. WILLIAMS V. VIRGINIA L. WOODWARD, ET AL ENTERED: FEBRUARY 4, 2005	2005-SC-000097-TG	FRANKLIN

COURT ORDERS GRANTING PETITION FOR REHEARING
ENTERED FEBRUARY 17, 2005

SHANE LAYTON RAGLAND V. COMMONWEALTH OF KENTUCKY	2002-SC-000388-MR 2003-SC-000084-TG	FAYETTE
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SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

**COURT ORDERS DENYING PETITION FOR REHEARING
ENTERED FEBRUARY 17, 2005**

FLAMINTO THOMAS V. COMMONWEALTH OF KENTUCKY	2002-SC-000021-DG	MCCRACKEN
ERNEST MAC COYLE, III V. COMMONWEALTH OF KENTUCKY	2002-SC-000419-MR	OHIO
COMMONWEALTH OF KENTUCKY, KENTUCKY COMMISSION ON HUMAN RIGHTS V. PENDENNIS CLUB, INC., ET AL	2002-SC-000508-DG	JEFFERSON
ROBERT I. LARKIN, ET AL V. PFIZER, INC., ET AL	2002-SC-000746-CL	U.S. COURT OF APPEALS
TRAVIS RAY BRYANT V. COMMONWEALTH OF KENTUCKY	2002-SC-001020-MR	BRACKEN
CYNTHIA PEDIGO V. MICHAEL BREEN GRANTING MODIFICATION BY THE SUBSTITUTION OF A NEW OPINION.	2003-SC-000028-DG	WARREN
SHANNON BILLY RILEY V. COMMONWEALTH OF KENTUCKY	2003-SC-000366-MR	KNOX

COURT ORDERS

ELIZABETH JONES, ADMINISTRATRIX OF THE ESTATE OF STEPHEN ALLEN CAMP V. SCOTT LATHRAM ORDER CORRECTING OPINION ON ITS FACE BY SUBSTITUTION OF NEW PAGES 1 AND 4. ENTERED: JANUARY 31, 2005	2002-SC-000590-DG	GRAVES
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SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS

GARY WAYNE DAVIS V. COMMONWEALTH OF KENTUCKY ORDER MODIFYING OPINION OF THE COURT RENDERED AUGUST 26, 2004 AND MODIFIED ON NOVEMBER 18, 2004, TO CORRECT A CITE ON PAGE 16. ENTERED: JANUARY 25, 2005	2002-SC-001092-MR	JEFFERSON
DWIGHT SARVER V. THE CECILIAN BANK COURT ORDER DISMISSING AS SETTLED. ENTERED: FEBRUARY 8, 2005	2004-SC-000036-DG	HARDIN
ERIC LLOYD HERMANSEN V. COMMONWEALTH OF KENTUCKY COURT ORDER DENYING APPELLANT MOTION FOR THE COURT TO ORDER THE CLERK TO FILE HIS TENDERED PETITION FOR WRIT VENIRE FACIAS DE NOVO AS AN ORIGINAL ACTION BY RIGHT. ENTERED: FEBRUARY 9, 2005	2004-SC-000590-OA	IN SUPREME COURT
SCOT D. RAMSEY V. KENTUCKY BAR ASSOCIATION ORDER DISMISSING APPLICATION FOR REINSTATEMENT TO THE KENTUCKY BAR ASSOCIATION. ENTERED: JANUARY 21, 2005	2004-SC-000612-KB	IN SUPREME COURT
WILLIAM HENRY FOGLE V. KENTUCKY BAR ASSOCIATION ORDER GRANTING REINSTATEMENT TO THE PRACTICE OF LAW IN KENTUCKY. ENTERED: FEBRUARY 17, 2005	2004-SC-000773-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MINUTES

FEBRUARY 17, 2005

RELEASED: 2:00 P.M.

COURT ORDERS

KENTUCKY BAR ASSOCIATION V.
EDWARD H. ADAIR
**ORDER CORRECTING OPINION OF
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