

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

- | | | | |
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| 49. | TIMOTHY WELBORN V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE WINTERSHEIMER –
<u>AFFIRMING.</u> | <u>2002-SC-001071-MR</u>
TO BE PUBLISHED | BUTLER |
| 50. | COMMONWEALTH OF KENTUCKY V.
ROBERT SOWELL
OPINION OF THE COURT BY
CHIEF JUSTICE LAMBERT –
<u>AFFIRMING.</u>
JOHNSTONE, J., DISSENTS BY
SEPARATE OPINION IN WHICH
GRAVES AND WINTERSHEIMER,
JJ., CONCUR. | <u>2003-SC-000355-DG</u>
TO BE PUBLISHED | JEFFERSON |
| 51. | A. W., A CHILD
UNDER EIGHTEEN V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE SCOTT – <u>AFFIRMING.</u>
COOPER, J., DISSENTS BY
SEPARATE OPINION, WITH
KELLER, J., JOINING THAT DISSENT. | <u>2003-SC-000424-DG</u>
TO BE PUBLISHED | CAMPBELL |
| 52. | STEVEN THOMAS RICHARDSON V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE JOHNSTONE – <u>AFFIRMING.</u> | <u>2003-SC-000654-MR</u>
TO BE PUBLISHED | FRANKLIN |
| 53. | GARY MCCLANAHAN V.
MOUNTAIN EDGE MINING CO.,
ET AL
OPINION OF THE COURT –
<u>AFFIRMING.</u> | <u>2004-SC-000429-WC</u>
TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

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| 54. | THOMAS C. BOWLING V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE COOPER – <u>AFFIRMING.</u>
KELLER, J., DISSENTS BY SEPARATE
OPINION, WITH GRAVES, J., JOINING
THAT DISSENTING OPINION. | 2004-SC-000880-MR
TO BE PUBLISHED | FAYETTE |
| 55. | STEVE MONDIE V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE KELLER – <u>REVERSING
AND REMANDING.</u> | 2002-SC-000534-DG
TO BE PUBLISHED | CASEY |
| 56. | KENTUCKY RETIREMENT
SYSTEMS V.
JOYCE ANN LEWIS
OPINION OF THE COURT BY
JUSTICE JOHNSTONE –
<u>REVERSING.</u> | 2002-SC-000516-DG
2003-SC-000730-DG
TO BE PUBLISHED | FRANKLIN |
| 57. | KENTUCKY ASSOCIATION OF
COUNTIES, ALL LINES FUND
TRUST V.
PHILLIP MCCLENDON, ET AL
OPINION OF THE COURT BY
JUSTICE KELLER – <u>REVERSING.</u>
LAMBERT, C.J., DISSENTS BY
SEPARATE OPINION. | 2002-SC-000648-DG
TO BE PUBLISHED | PULASKI |
| 58. | JULIO MELO, M.D. V.
STEVEN G. BARNETT, ET AL
OPINION OF THE COURT BY
JUSTICE GRAVES – <u>REVERSING.</u>
SCOTT, J., DISSENTS IN A SEPARATE
OPINION IN WHICH COOPER AND
KELLER, J.J., JOIN. | 2003-SC-000200-DG
TO BE PUBLISHED | JEFFERSON |

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 10:00 A.M.

59. BRANDON LUMPKINS, MINOR, BY PARENT AND NEXT FRIEND, LATONIA LUMPKINS, ET AL V. CITY OF LOUISVILLE
OPINION OF THE COURT BY JUSTICE WINTERSHEIMER – REVERSING.
COOPER, J., DISSENTS BY SEPARATE OPINION AND IS JOINED BY GRAVES, J., WHO ALSO FILES A SEPARATE DISSENTING OPINION.
[2003-SC-000267-DG](#)
[2003-SC-000851-DG](#)
TO BE PUBLISHED JEFFERSON
60. FAYETTE COUNTY BOARD OF EDUCATION. V. M.R.D., BY AND THROUGH HIS NEXT FRIENDS, K.D. AND K.D.
OPINION OF THE COURT BY JUSTICE JOHNSTONE – REVERSING.
[2003-SC-000448-DG](#)
TO BE PUBLISHED FAYETTE
61. COMMONWEALTH OF KENTUCKY, EX REL, GREGORY D. STUMBO, ATTORNEY GENERAL V. GREG CRUTCHFIELD
OPINION OF THE COURT BY JUSTICE GRAVES – REVERSING.
[2003-SC-000483-DG](#)
TO BE PUBLISHED GARRARD
62. JASON L. TABOR V. COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT – AFFIRMING.
[2002-SC-000538-MR](#)
NOT TO BE PUBLISHED WARREN
63. WILLIAM ELLIS JONES V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE SCOTT – AFFIRMING.
[2002-SC-001011-DG](#)
NOT TO BE PUBLISHED JEFFERSON

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

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| 64. | LARRY STIDHAM V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u>
JOHNSTONE, J., CONCURS IN
RESULT ONLY. | 2003-SC-000211-MR
NOT TO BE PUBLISHED | CLAY |
| 65. | DANNY L. FISHER V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u> | 2003-SC-000499-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 66. | JAMES CRISP V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u> | 2004-SC-000058-MR
NOT TO BE PUBLISHED | BALLARD |
| 67. | SHERRIE JONES V.
OWENSBORO MERCY HEALTH
SYSTEMS, ET AL
MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u>
GRAVES, J., DISSENTS AND STATES
AS FOLLOWS: THE NATURE OF THE
MEDICAL TESTIMONY IS SUCH THAT
IT WAS NOT REASONABLE FOR A LAY
PERSON TO ARRIVE AT A CLINICAL
DIAGNOSIS OF DEPRESSION AND
THEREFORE MAKE A CLAIM UNTIL SO
ADVISED BY A SPECIALIST IN THE
FIELD, NAMELY A PSYCHIATRIST. | 2004-SC-000287-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 68. | RICHELIE PHARMACAL V.
KATHY DUNN, ET AL
MEMORANDUM OPINION OF THE COURT – <u>AFFIRMING.</u>
COOPER AND GRAVES, JJ., CONCUR
IN RESULT ONLY. | 2004-SC-000288-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 10:00 A.M.

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| 69. | UNITED STATES STEEL CORP., V.
RANDALL WEBB, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000388-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 70. | LARRY SHOCKEY V.
INCO ALLOYS, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000399-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 71. | DENNIS D. BABBS V.
HON. JOHN D. MINTON, JR.,
JUDGE, WARREN CIRCUIT
COURT, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000559-MR
NOT TO BE PUBLISHED | WARREN |
| 72. | PHILLIP PAUL MOORE V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u>
KELLER, J., DISSENTS BECAUSE
THE AFFIDAVIT IN SUPPORT OF
THE SEARCH WARRANT FOR
APPELLANT'S APARTMENT DID
NOT ESTABLISH PROBABLE CAUSE
THAT EVIDENCE OF COUNTERFEITING
WOULD BE PRESENT IN THE
APARTMENT. | 2004-SC-000572-MR
NOT TO BE PUBLISHED | FAYETTE |

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 10:00 A.M.

73. SAMUEL ARTHUR YENAWINE V. [2003-SC-000283-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
**MEMORANDUM OPINION OF THE
COURT – REVERSING AND
REMANDING.**
LAMBERT, C.J., AND COOPER, GRAVES,
AND KELLER, JJ., CONCUR WITH PART I.
GRAVES JOHNSTONE, KELLER, SCOTT AND
WINTERSHEIMER, JJ., CONCUR WITH
PART II. LAMBERT, C.J., FILES A SEPARATE
OPINION CONCURRING IN PART AND
DISSENTING IN PART IN WHICH COOPER,
J., JOINS. JOHNSTONE, J. FILES A
SEPARATE OPINION DISSENTING IN PART
AND CONCURRING IN PART IN WHICH
SCOTT AND WINTERSHEIMER, JJ., JOIN.
74. COMMONWEALTH OF KENTUCKY V. [2003-SC-000454-DG](#) JEFFERSON
ALONZO CHAPPELL NOT TO BE PUBLISHED
**MEMORANDUM OPINION OF THE
COURT – REVERSING.**

OPINIONS AND ORDERS ENTERED MARCH 17, 2005

- JAMES N. LAWSON V. 2004-SC-000789-MR JEFFERSON
STEPHEN GEORGE, JEFFERSON NOT TO BE PUBLISHED
FAMILY COURT, ET AL
**OPINION AND ORDER AFFIRMING
THE DECISION OF THE COURT
OF APPEALS.**
- KENTUCKY BAR ASSOCIATION V. [2004-SC-000909-KB](#) IN SUPREME
JACK W. STEINER, JR. TO BE PUBLISHED COURT
**OPINION AND ORDER PERMANENTLY
DISBARRED FROM THE PRACTICE OF
LAW IN KENTUCKY.**

SUPREME COURT OF KENTUCKY

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OPINIONS AND ORDERS ENTERED MARCH 17, 2005

SAN JUAN C. ROMERO, ET AL V.
ADMINISTRATIVE OFFICE OF THE
COURTS

[2004-SC-000913-OA](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER DENYING
PETITION FOR REVIEW.**

WINTERSHEIMER, J., DISSENTS
WITHOUT OPINION. LAMBERT,
C.J., NOT SITTING.

KENTUCKY BAR ASSOCIATION V.
BENJAMIN C. HALL

[2004-SC-001103-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER SUSPENDING
THE RESPONDENT FROM THE
PRACTICE OF LAW FOR 181 DAYS.**

DANA SEUM STEPHENSON V.
VIRGINIA L. WOODWARD, ET AL
**OPINION AND ORDER AFFIRMING AND
DENYING MOTION FOR 65.07 RELIEF.**

[2005-SC-000096-TG](#)
[2005-SC-000097-TG](#)
NOT TO BE PUBLISHED

FRANKLIN

GRAVES, J., STATES AS FOLLOWS:
I CONCUR WITH THE MAJORITY.
HOWEVER, I AM OF THE OPINION THAT
THE COURT HAS A RECORD SUFFICIENT
TO DECIDE THE CASE ON THE MERITS.
KELLER, J., DISSENTS BY SEPARATE
OPINION IN WHICH SCOTT, J., JOINS.

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

JANET FOSTER V.
KENTUCKY FARM BUREAU
MUTUAL INSURANCE COMPANY
ET AL

2004-SC-000461-DG

JEFFERSON

BARBARA ANN HART V.
CHRISTOPHER HART, ET AL

2004-SC-000505-DG

WHITLEY

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

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

REVENUE CABINET, COMMONWEALTH OF KENTUCKY V. GTE SOUTH, INC., N/K/A VERIZON SOUTH, INC.	2004-SC-000519-DG	FRANKLIN
COMMONWEALTH OF KENTUCKY V. HON. JAMES GREEN, JUDGE JEFFERSON DISTRICT COURT, ET AL	2004-SC-000534-DG	JEFFERSON
DAVID OSBORNE, ETC., ET AL V. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH SERVICES	2004-SC-000566-DG	FRANKLIN
COMMONWEALTH OF KENTUCKY V. JAMES PATRICK RODEFER	2004-SC-000635-DG	FAYETTE
RODNEY HALLGATH, ET AL V. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY	2004-SC-000850-DG	KENTON
GARY DENZIK V. CANDY BLAZAR	2004-SC-001131-DG	WARREN

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

WILLIAM M. JOHNSON, JR., ET AL V. JOSEPH W. JUSTICE, ET AL	2004-SC-000307-MR	PIKE
DANNY H. PADGETT V. JEANNE K. PADGETT	2004-SC-000369-D	HARDIN
JEANETTE LINDEMAN, ET AL V. COMMONWEALTH OF KENTUCKY	2004-SC-000374-D	PIKE

SUPREME COURT OF KENTUCKY

MINUTES

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

MYRANA SHORES V. COMMONWEALTH OF KENTUCKY	2004-SC-000409-D	WHITLEY
MORRISON'S RECYCLING, INC. A KENTUCKY CORPORATION V. COUNTY OF CLINTON, KENTUCKY, ET AL	2004-SC-000423-D	CLINTON
ASHLEY BARTLETT V. PRIME INSURANCE SYNDICATE	2004-SC-000430-D	JEFFERSON
GAYLE L. POWELL V. PAUL B. CRAMER, III, ET AL	2004-SC-000440-D	CLARK
COMMONWEALTH OF KENTUCKY V. PAUL D. WYATT	2004-SC-000446-D	CASEY
HERMAN LUCAS, ET AL V. J. W. KINZER	2004-SC-000453-D	PIKE
LARRY VINSON V. COMMONWEALTH OF KENTUCKY	2004-SC-000464-D	HARDIN
TERESA RUSSELL V. JEWISH HOSPITAL	2004-SC-000467-D	FAYETTE
KAMAL K. GARG, M.D. V. JANE DOE, A/K/A KELLY PRICE	2004-SC-000473-D	JOHNSON
COMMONWEALTH OF KENTUCKY DEPARTMENT OF CORRECTIONS V. JOHNNIE RENNER, ET AL	2004-SC-000476-D	BOYLE
KERRY FAULKNER V. LINK-BELT CONSTRUCTION CO.	2004-SC-000479-D	FAYETTE

SUPREME COURT OF KENTUCKY

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

DONALD R. MAYNE, ET AL V. CHARLES JOHNSON, ET AL	2004-SC-000499-D	LAUREL
DWAYNE ANTHONY BRUCE V. COMMONWEALTH OF KENTUCKY	2004-SC-000501-D	JEFFERSON
ROGER WILLIAM BALLENGER, SR. V. BARBARA MAE GRIFFIN BALLENGER	2004-SC-000502-D	GRANT
CHARLES S. MCDONALD V. COMMONWEALTH OF KENTUCKY	2004-SC-000503-D	LYON
SCOTTY RICHARDS V. COMMONWEALTH OF KENTUCKY	2004-SC-000509-D	GREENUP
JAMES HATTON V. VERTNER TAYLOR, FORMER COMMISSIONER, KENTUCKY DEPARTMENT OF CORRECTIONS, ET AL	2004-SC-000511-D	OLDHAM
SHIRLEY T. DURBIN V. COMMONWEALTH OF KENTUCKY	2004-SC-000512-D	HENDERSON
HANS PROESCHEL V. STATE FARM INSURANCE COMPANIES	2004-SC-000515-D	PENDLETON
DAVID WAYNE PARKS V. COMMONWEALTH OF KENTUCKY	2004-SC-000527-D	KNOX
RUBEN SALINAS V. COMMONWEALTH OF KENTUCKY	2004-SC-000530-D	FAYETTE
RENEE MILLER V. COMMONWEALTH OF KENTUCKY	2004-SC-000554-D	BREATHITT

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

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

MARK JOHNSTON V. COMMONWEALTH OF KENTUCKY	2004-SC-000564-D	MORGAN
TOMMY REEVES V. COMMONWEALTH OF KENTUCKY	2004-SC-000569-D	KENTON
THELMA MICHELLE CAMPBELL V. COMMONWEALTH OF KENTUCKY	2004-SC-000570-D	FAYETTE
FRED W. HERTRICH, III, ET AL V. MARGARET N. JEWETT, D/B/A WALNUT HALL LIMITED	2004-SC-000581-D	FAYETTE
G. JOSEPH PAPPAS V. KENTUCKY PAROLE BOARD, ET AL	2004-SC-000585-D	FRANKLIN
VIRGINIA CONLEY, ET AL V. NIKKEN, INC.	2004-SC-000591-D	KENTON
RODNEY WOOSLEY V. COMMONWEALTH OF KENTUCKY	2004-SC-000594-D	UNION
STEPHEN R. MURPHY V. COMMONWEALTH OF KENTUCKY	2004-SC-000603-D	BOYD
CHARLES SMITH V. COMMONWEALTH OF KENTUCKY	2004-SC-000606-D	CAMPBELL
JANET R. MORROW V. WILLIAM E. MORRIW, III	2004-SC-000616-D	JEFFERSON
TERRY M. JOHNSON V. COMMONWEALTH OF KENTUCKY	2004-SC-000629-D	JEFFERSON
ROBBIE CLARK V. COMMONWEALTH OF KENTUCKY	2004-SC-000637-D	MARSHALL

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

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

MICHAEL SCOTT ADKINS V. LYNETTE ADKINS	2004-SC-000657-D	MORGAN
STATE FARM MUTUAL AUTOMOBILE INS. CO. V. ELAINE K. MAY	2004-SC-000669-D	JEFFERSON
REGINALD HINES V. COMMONWEALTH OF KENTUCKY	2004-SC-000682-D	BALLARD
DAVID R. DENNIS, V. COMMONWEALTH OF KENTUCKY	2004-SC-000683-D	MENIFEE
GREGORY A. VALENTINE V. COMMONWEALTH OF KENTUCKY	2004-SC-000697-D	JEFFERSON
WENDELL BONNER V. COMMONWEALTH OF KENTUCKY	2004-SC-000730-D	LEWIS
LEXINGTON RELOCATION SERVICES, LLC V. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT	2004-SC-000761-D	FAYETTE
MARVIN HUFF, ET AL V. WILLIAM COX	2004-SC-000765-D	WHITLEY
TREON MCEL RATH V. COMMONWEALTH OF KENTUCKY	2004-SC-000766-D	HICKMAN
TERRANCE BOYKIN V. COMMONWEALTH OF KENTUCKY	2004-SC-000774-D	HICKMAN
DONNIE D. BENNETT V. COMMONWEALTH OF KENTUCKY	2004-SC-000787-D	JEFFERSON

SUPREME COURT OF KENTUCKY

MINUTES

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RELEASED: 10:00 A.M.

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

PATTY JO NUNN V. FIRST HEALTHCARE CORPORATION D/B/A LIBERTY CARE CENTER	2004-SC-000812-D	CASEY
DONALD SID BOONE V. COMMONWEALTH OF KENTUCKY	2004-SC-000819-D	MASON
BILLY JOE BENTLEY V. COMMONWEALTH OF KENTUCKY	2004-SC-000842-D	PIKE
JOHNNY GIBSON V. COMMONWEALTH OF KENTUCKY	2004-SC-000845-D	CLAY
CALVIN GOODARD V. COMMONWEALTH OF KENTUCKY	2004-SC-000846-D	FAYETTE
JOEY HART V. COMMONWEALTH OF KENTUCKY	2004-SC-000945-D	MCCRACKEN
STEVEN LANE V. PATTI WEBB, WARDEN, ET AL	2004-SC-000949-D	MUHLENBERG
DAVID SHERRARD V. COMMONWEALTH OF KENTUCKY	2004-SC-000957-D	HARDIN
GREGORY CHIPMAN V. COMMONWEALTH OF KENTUCKY	2004-SC-000973-D	GRANT
COMMONWEALTH OF KENTUCKY V. RICCARDO VETTRAINO	2004-SC-000980-D	WARREN
BRIAN KEITH SMITH V. COMMONWEALTH OF KENTUCKY	2004-SC-000988-D	HARDIN
CLYDE WILLIAM COX, ET AL V. FREIDA JOAN LOVING	2004-SC-001037-D	WHITLEY

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

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

DONALD STORY V. COMMONWEALTH OF KENTUCKY	2004-SC-001071-D	LEE
GEORGE GRIBBONS V. COMMONWEALTH OF KENTUCKY	2004-SC-001091-D	CASEY
ERIC LLOYD HERMANSEN V. COMMONWEALTH OF KENTUCKY	2005-SC-000025-D	LYON

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

ROGER LEE HOLSEY, JR. V. COMMONWEALTH OF KENTUCKY FEBRUARY 18, 2005	2005-SC-000055-D	FAYETTE
ROBERT W. SHIELDS V. COMMONWEALTH OF KENTUCKY MARCH 8, 2005	2005-SC-000059-D	HARLAN
MICHAEL E. TODD, ET AL V. RUSS CLAY WILKEY, ET AL MARCH 9, 2005	2005-SC-000094-D	HENDERSON

COURT ORDERS GRANTING MOTION TO TRANSFER

RAYMOND COY WRIGHT V. COMMONWEALTH OF KENTUCKY ENTERED: FEBRUARY 21, 2005	2005-SC-000122-TG	WHITLEY
BOBBY LAMONT FAIRLEY V. COMMONWEALTH OF KENTUCKY ENTERED: FEBRUARY 25, 2005	2005-SC-000138-TG	HART

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

COURT ORDER DENYING MOTION TO TRANSFER ENTERED MARCH 17, 2005

THOMAS JOHN DYSARZ V. 2005-SC-000058-T FAYETTE
MICHAEL TAYLOR MEEHAN
ENTERED: MARCH 17, 2005

COURT ORDER GRANTING PETITION FOR REHEARING ENTERED MARCH 17, 2005

MARK LEO THOMAS V. 2003-SC-000989-MR JEFFERSON
COMMONWEALTH OF KENTUCKY

COURT ORDER DENYING PETITION FOR REHEARING ENTERED MARCH 17, 2005

BONITA EARLE V. 2000-SC-000818-DG MUHLENBERG
ALICE S. COBB, ET AL

COURT ORDERS

GRAYSON COUNTY BOARD OF [2003-SC-000208-DG](#) GRAYSON
EDUCATION V.
JOSEPH W. CASEY
**ORDER MODIFYING OPINION BY
SUBSTITUTION OF PAGES TO ADD
A FOOTNOTE.**
ENTERED: MARCH 8, 2005

NELSON GRAHAM V. 2004-SC-000382-MR HOPKINS
COMMONWEALTH OF KENTUCKY
**ORDER GRANTING APPELLANT
MOTION TO DISMISS APPEAL.**
ENTERED: MARCH 10, 2005

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

COURT ORDERS

DAVID PETRUSKA, M.D. V.
NEUROSURGICAL GROUP OF
GREATER LOUISVILLE AND
SOUTHERN INDIANA, P.S.C., ET AL
**ORDER DENYING MOTION
FOR 65.09 RELIEF.**
ENTERED: MARCH 17, 2005

2004-SC-000700-I

JEFFERSON

MICHAEL COLLINS, M.D. V.
VICKI CURRY
**ORDER GRANTING MOVANT'S
MOTION TO DISMISS ACTION.**
ENTERED: MARCH 10, 2005

2004-SC-000817-D

WARREN

DAVID J. LOCKWOOD V.
KENTUCKY BAR ASSOCIATION
**ORDER GRANTING MOVANT'S
MOTION TO WITHDRAW HIS
APPLICATION FOR
RESTORATION TO MEMBERSHIP.**
ENTERED: FEBRUARY 23, 2005

2004-SC-000916-KB

IN SUPREME
COURT

MELISSA HOLLAND V.
HON. JANET COLEMAN, JUDGE
COMMONWEALTH OF KENTUCKY,
ET AL
ORDER DISMISSING APPEAL.
ENTERED: MARCH 1, 2005

2004-SC-001031-MR

FROM COURT
OF APPEALS

NATHANIEL HARDEN V.
COMMONWEALTH OF KENTUCKY
**ORDER DENYING APPELLANT MOTION
FOR BELATED OR FRUSTRATED RIGHT
OF APPEAL.**
ENTERED: FEBRUARY 23, 2005

2004-SC-001040-MR

FAYETTE

SUPREME COURT OF KENTUCKY

MINUTES

MARCH 17, 2005

RELEASED: 10:00 A.M.

COURT ORDERS

COMMONWEALTH OF KENTUCKY V. 2005-SC-000001-CL KENTON
LIBERTY ASTIN WALTHER
**ORDER GRANTING CERTIFICATION
OF THE LAW.**
ENTERED: MARCH 17,2005

GIL RUEHL MECHANICAL, INC. V. 2005-SC-000080-D CAMPBELL
HARTFORD FIRE INSURANCE
**ORDER GRANTING RESPONDENT'S
MOTION TO DISMISS MOVANT'S
MOTION FOR DISCRETIONARY REVIEW.**
ENTERED: MARCH 8, 2005

JIMMY W. WOLFORD V. 2005-SC-000137-D JEFFERSON
COMMONWEALTH OF KENTUCKY
**ORDER DENYING MOVANT'S MOTION
TO PROCEED IN FORMA PAUPERIS.**
ENTERED: FEBRUARY 28, 2005

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF
THE KENTUCKY BAR ASSOCIATION**

JOHN DAVID SIMS V. 2005-SC-000124-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

HELEN MARGARET MARKS V. 2005-SC-000126-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT