

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

71. BARNEY JONES, INDIVIDUALLY AND AS SHERIFF OF BARREN COUNTY; AND UNKNOWN INSURANCE CARRIER OF BARNEY JONES V. JASON H. CROSS; MITZI R. CROSS; AND CHRISTOPHER A. SPRADLIN
OPINION OF THE COURT BY JUSTICE SCHRODER – AFFIRMING
ABRAMSON, J., CONCURS BY SEPARATE OPINION. [2005-SC-000854-DG](#)
[2006-SC-000164-DG](#)
TO BE PUBLISHED BARREN
72. COMMONWEALTH OF KENTUCKY, DEPARTMENT OF CORRECTIONS, AND WESTERN KENTUCKY CORRECTIONAL COMPLEX V. BOBBY CHESTNUT
OPINION OF THE COURT BY JUSTICE MINTON – AFFIRMING
CUNNINGHAM, J., NOT SITTING. [2006-SC-000086-DG](#)
TO BE PUBLISHED FRANKLIN

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

73. HYMAN & ARMSTRONG, [2006-SC-000175-DG](#) JEFFERSON
P.S.C, ET AL. V. **TO BE PUBLISHED**
RONALD GUNDERSON
(ADMINISTRATOR OF THE ESTATE OF
MARY MARGARET GUNDERSON), ET AL.
AND
SANDOZ PHARMACEUTICALS [2006-SC-000179-DG](#) JEFFERSON
CORPORATION (N/K/A NORVATIS **TO BE PUBLISHED**
PHARMACEUTICALS
CORPORATION) V.
RONALD GUNDERSON
(ADMINISTRATOR OF THE ESTATE OF
MARY MARGARET GUNDERSON), ET AL.
OPINION OF THE COURT BY
JUSTICE SCHRODER – AFFIRMING
ABRAMSON, J., NOT SITTING.
SCOTT, J., CONCURS IN RESULT ONLY
BECAUSE HE DOES NOT BELIEVE
SANDOZ PHARMACEUTICALS CORP.
WAS ENTITLED TO A “LEARNED
INTERMEDIARY” INSTRUCTION AS
THEIR CONDUCT AND MARKETING
OF PARLODEL DID NOT CONSTITUTE
AN ADEQUATE WARNING TO
DR. ARMSTRONG UNDER THE
CIRCUMSTANCES OF THIS CASE.
74. JIMMY RAY SPARKMAN V. [2006-SC-000303-MR](#) PENDLETON
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
CHIEF JUSTICE LAMBERT –
AFFIRMING
75. NEURODIAGNOSTICS, INC. V. [2006-SC-000857-DG](#) FAYETTE
KENTUCKY FARM BUREAU **TO BE PUBLISHED**
MUTUAL INSURANCE COMPANY,
ET AL.
OPINION OF THE COURT BY
JUSTICE MINTON – AFFIRMING
SCHRODER, J., NOT SITTING.

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

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| 76. | TONY R. CRAIN V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE NOBLE – <u>AFFIRMING</u> | <u>2007-SC-000120-MR</u>
TO BE PUBLISHED | JEFFERSON |
| 77. | MILLERSBURG MILITARY INSTITUTE V.
JULIAN PUCKETT, ET AL.
OPINION OF THE COURT –
<u>AFFIRMING</u>
ABRAMSON, J., NOT SITTING. | <u>2007-SC-000549-WC</u>
TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 78. | SHAWN WINDSOR V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE SCHRODER –
<u>AFFIRMING IN PART, REVERSING
IN PART AND REMANDING</u> | <u>2007-SC-000039-MR</u>
TO BE PUBLISHED | JEFFERSON |
| 79. | LOWELL MILLER V.
SQUARE D COMPANY, ET AL.
OPINION OF THE COURT –
<u>AFFIRMING IN PART, REVERSING
IN PART AND REMANDING</u> | <u>2007-SC-000361-WC</u>
TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 80. | ESTATE OF LAKEESHA CLINE
(DECEASED), ET AL. V.
HONORABLE JAMES G. WEDDLE
(JUDGE, ADAIR CIRCUIT COURT);
SPECTRUM CARE ACADEMY, INC.,
(REAL PARTY IN INTEREST), ET AL.
OPINION OF THE COURT BY
JUSTICE MINTON –
<u>AFFIRMING IN PART, REVERSING
IN PART AND REMANDING</u>
ABRAMSON, J., NOT SITTING. | <u>2007-SC-000742-MR</u>
TO BE PUBLISHED | ADAIR |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

81. COMMONWEALTH OF KENTUCKY V. [2006-SC-000040-DG](#) CASEY
LONNIE A. HARRIS [2006-SC-000451-DG](#)
OPINION OF THE COURT BY TO BE PUBLISHED
JUSTICE CUNNINGHAM –
AFFIRMING IN PART AND
REVERSING IN PART
82. KING DRUGS, INC., ET AL. V. [2005-SC-000789-DG](#) FRANKLIN
COMMONWEALTH OF KENTUCKY, **TO BE PUBLISHED**
REVENUE CABINET, ET AL.
OPINION OF THE COURT BY
JUSTICE ABRAMSON –
REVERSING AND REMANDING
MINTON AND SCHRODER, J.J.,
NOT SITTING.
83. KENT HILL V. [2006-SC-000481-DG](#) FRANKLIN
KENTUCKY PAROLE BOARD **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE SCHRODER –
REVERSING AND REMANDING
84. J.N.R. AND J.S.R. V. [2007-SC-000175-MR](#) JEFFERSON
HONORABLE JOSEPH O'REILLY, **TO BE PUBLISHED**
JUDGE, JEFFERSON FAMILY COURT;
AND J.G.R., REAL PARTY IN INTEREST
OPINION OF THE COURT BY
JUSTICE MINTON –
REVERSING AND REMANDING
CUNNINGHAM, J., CONCURS IN RESULT
ONLY BY SEPARATE OPINION IN WHICH
SCOTT, J., JOINS. SCOTT, J., CONCURS
IN RESULT ONLY BY SEPARATE OPINION
IN WHICH CUNNINGHAM, J., JOINS.
ABRAMSON, J., DISSENTS BY SEPARATE
OPINION IN WHICH SCHRODER, J., JOINS.
NOBLE, J., DISSENTS BY SEPARATE OPINION.

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

85. COMMONWEALTH OF KENTUCKY V. [2003-SC-000564-DG](#) JEFFERSON
RONALD D. MARR **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE CUNNINGHAM –
REVERSING
ABRAMSON, J., DISSENTS BY SEPARATE
OPINION IN WHICH LAMBERT, C. J. AND
SCHRODER, J., JOIN.
86. COMMONWEALTH OF KENTUCKY V. [2004-SC-000553-DG](#) FAYETTE
LAMONT HOUSTON BROWN [2006-SC-000160-DG](#)
OPINION OF THE COURT BY **TO BE PUBLISHED**
JUSTICE CUNNINGHAM –
REVERSING
SCHRODER, J., DISSENTS BY
SEPARATE OPINION.
87. ISIAH FUGETT V. [2006-SC-000051-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE SCOTT – REVERSING
CUNNINGHAM, J., DISSENTS BY
SEPARATE OPINION.
ABRAMSON, J., NOT SITTING.
88. MICHAEL WAYNE HOLT V. [2006-SC-000391-DG](#) JEFFERSON
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE SCOTT – REVERSING
ABRAMSON, J., CONCURS IN RESULT
ONLY. CUNNINGHAM, J., CONCURS
IN RESULT, HOWEVER, BELIEVES THE
VICTIM'S CONVICTION WAS
ADMISSIBLE. EVEN THOUGH IT WAS
DIVERTED, IT WAS STILL A FELONY
CONVICTION. AND THE CRITICAL TIME
FOR CREDIBILITY IMPEACHMENT IS A
TRIAL, NOT AT TIME OF THE CRIME.

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

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| 89. | RONALD HORVATH V.
DARLYNN RENEE HORVATH
OPINION OF THE COURT BY
JUSTICE SCOTT – <u>REVERSING</u> | 2006-SC-000837-DG
TO BE PUBLISHED | KENTON |
| 90. | JULIAN CHESTNUT V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE SCOTT – <u>REVERSING</u>
ABRAMSON, J., NOT SITTING. | 2007-SC-000154-MR
TO BE PUBLISHED | JEFFERSON |
| 91. | NATHANIEL BARKLEY BROWN V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u>
MINTON, J., DISSENTS BY
SEPARATE OPINION. | 2005-SC-000419-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 92. | JOEL LEE NUTTER V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2006-SC-000234-MR
NOT TO BE PUBLISHED | FAYETTE |
| 93. | IVAN PARKER GRIGGS V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2006-SC-000846-MR
NOT TO BE PUBLISHED | FAYETTE |
| 94. | MARCUS JEROME LAWRENCE V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE MINTON – <u>AFFIRMING</u>
ABRAMSON, J., NOT SITTING. | 2006-SC-000877-DG
NOT TO BE PUBLISHED | WARREN |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

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| 95. | BROWN LOE NEACE V.
ASPLUNDH TREE EXPERT CO.,
INC., ET AL.
AND
ASPLUNDH TREE EXPERT CO.,
INC. V.
BROWN LOE NEACE, ET AL.
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000236-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 96. | SARTIN ENTERPRISES, LLC. V.
WENDELL MAYNARD, ET AL.
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000420-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 97. | GEORGE HUMFLEET
MOBILE HOMES V.
DENNIS CHRISTMAN, ET AL.
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000454-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 98. | PEPSI COLA V.
JEFFREY LEON BUTLER, ET AL.
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000514-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 99. | WAYNE MURPHY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING IN PART
AND REMANDING FOR
RE-SENTENCING</u> | 2007-SC-000176-MR
NOT TO BE PUBLISHED | GREENUP |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

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| 100. | BILLY C. WILLIAMS V.
THOMAS C. RATLIFF, JR., ET AL.
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING
AND REMANDING</u>
ABRAMSON, J., FILES A SEPARATE
OPINION CONCURRING IN PART
AND DISSENTING IN PART IN
WHICH SCHRODER, J., JOINS. | 2007-SC-000418-MR
NOT TO BE PUBLISHED | SHELBY |
| 101. | JOSHUA POPP V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>REVERSING
AND REMANDING</u> | 2006-SC-000311-MR
NOT TO BE PUBLISHED | FRANKLIN |
| 102. | CHESTER SEXTON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>REVERSING
AND REMANDING</u> | 2006-SC-000698-MR
NOT TO BE PUBLISHED | CHRISTIAN |

OPINIONS AND ORDERS – APRIL 24, 2008

- | | | |
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| KENTUCKY BAR ASSOCIATION V.
DANA LEA B. QUESINBERRY
ORDER SUSPENDED RESPONDENT
FROM THE PRACTICE OF LAW FOR
30 DAYS. | 2006-SC-000601-KB
TO BE PUBLISHED | IN SUPREME
COURT |
| DORA NANCY PRICE V.
PAINTSVILLE TOURISM COMMISSION
AND CITY OF PAINTSVILLE
ORDER DENIED INTERLOCUTORY RELIEF
PURSUANT TO CR 65.09. | 2007-SC-000957-I | JOHNSON |

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

OPINIONS AND ORDERS – APRIL 24, 2008

LINDA JANE EVANSWOOD V. KENTUCKY BAR ASSOCIATION ORDER RESTORED MOVANT TO THE PRACTICE OF LAW.	2008-SC-000015-KB TO BE PUBLISHED	IN SUPREME COURT
WILLIAM WILSON WARD V. COMMONWEALTH OF KENTUCKY ORDER GRANTED MOTION FOR DISCRETIONARY REVIEW, VACATED COURT OF APPEALS' OPINION AND REMANDED TO THE COURT OF APPEALS. ENTERED: APRIL 16, 2008	2008-SC-000045-D	PULASKI
KENTUCKY BAR ASSOCIATION V. DANA LEA B. QUESINBERRY ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR 181 DAYS WITH CONDITIONS.	2008-SC-000064-KB TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. BRYAN KENT BURLEW ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR 3 YEARS WITH CONDITIONS.	2008-SC-000065-KB TO BE PUBLISHED	IN SUPREME COURT
MARK JOSEPH SMITH V. KENTUCKY BAR ASSOCIATION ORDER PUBLICLY REPRIMANDED MOVANT. ENTERED: APRIL 15, 2008	2008-SC-000136-KB TO BE PUBLISHED	IN SUPREME COURT
INQUIRY COMMISSION V. DOUGLAS C. COMBS, JR. ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW UNTIL FURTHER NOTICE.	2008-SC-000150-KB TO BE PUBLISHED	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

OPINIONS AND ORDERS – APRIL 14, 2008

BETHANNI E. FORBUSH-MOSS V. KENTUCKY BAR ASSOCIATION ORDER SUSPENDED MOVANT FROM THE PRACTICE OF LAW FOR 181 DAYS WITH CONDITIONS.	2008-SC-000167-KB NOT TO BE PUBLISHED	IN SUPREME COURT
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**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

BOB LAWSON V. KENTUCKY RETIREMENT SYSTEMS, ET AL.	2007-SC-000540-DG	FRANKLIN
MARY BETH CALOR, M.D. V. ASHLAND HOSPITAL CORP. D/B/A KING'S DAUGHTERS MEDICAL CENTER, AND PAUL MCDOWELL	2007-SC-000573-DG	BOYD
ROBERT TURNER V. COMMONWEALTH OF KENTUCKY	2007-SC-000633-DG	DAVIESS
DUBIN ORTHOPAEDIC CENTRE, PSC V. COMMONWEALTH OF KENTUCKY, STATE BOARD OF PHYSICAL THERAPY	2007-SC-000756-DG	FRANKLIN
BRAVO DEVELOPMENT, INC. V. SCOT SINGLETON	2007-SC-000769-DG	CAMPBELL
CAM I, INC., D/B/A PRESTON VIDEO, ET AL. V. LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT	2007-SC-000812-DG	JEFFERSON
METHODIST HOSPITAL OF KENTUCKY, INC. V. WESLEY GILLIAM	2007-SC-000817-DG	PIKE

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

BREATHITT COUNTY BOARD OF EDUCATION V. DOT PRATER	2008-SC-000041-DG	BREATHITT
GMRI, INC., F/K/A GENERAL MILLS RESTAURANTS, INC. V. TIM EMBERTON	2008-SC-000109-DG	WARREN
MELANIE L. PEARSON V. ROBERT E. SOLINGER	2008-SC-000133-DG	JEFFERSON
MELANIE L. PEARSON V. NORTON HOSPITAL, INC.	2008-SC-000134-DG	JEFFERSON
DAVID KLEIN V. ELAINE T. HENSON, ET AL.	2008-SC-000204-DG	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

DWAYNE ANTHONY BRUCE V. COMMONWEALTH OF KENTUCKY AND DWAYNE ANTHONY BRUCE V. COMMONWEALTH OF KENTUCKY	2006-SC-000717-D	JEFFERSON
LESLIE WHITT RAMSEY V. GEORGE FRANKLIN RAMSEY	2006-SC-000718-D	JEFFERSON
LESLIE WHITT RAMSEY V. GEORGE FRANKLIN RAMSEY	2006-SC-000854-D	PIKE
MICHAEL HURT V. COMMONWEALTH OF KENTUCKY	2007-SC-000069-D	KENTON
THOMAS L. HAGER, III V. COMMONWEALTH OF KENTUCKY	2007-SC-000197-D	PIKE

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

ANTHONY M. HARRIS V. PATTI WEBB, WARDEN	2007-SC-000281-D	MUHLENBERG
TORREY CROSS V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000375-D	JEFFERSON
JACQUES J. WIGGINTON V. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, ET AL.	2007-SC-000402-D	FAYETTE
BERNIE PAYNE V. COMMONWEALTH OF KENTUCKY	2007-SC-000409-D	HICKMAN
JOANN SEARCY V. COMMONWEALTH OF KENTUCKY, JUSTICE AND PUBLIC SAFETY CABINET, DEPARTMENT OF CORRECTIONS; STEPHEN B. PENCE COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000502-D	FRANKLIN
DELBERT BOGGS, ET AL. V. RONNIE GRIFFITH, ET AL. COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000510-D	LAWRENCE
PAMELA PERKINS V. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000518-D	FRANKLIN

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

COMMONWEALTH OF KENTUCKY V. AUGUST K. WILSON COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000539-D	HENDERSON
WILLIAM MARCUS V. BART MILLER, ET AL.	2007-SC-000558-D	FRANKLIN
STANLEY LAND V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000561-D	FAYETTE
ROSIETTA TAYLOR AND LINDA CANNON, CO-ADMINISTRATORS OF THE ESTATE OF JAMES EDWARD TAYLOR V. MIKE O'NEIL; LOUISVILLE DIVISION OF POLICE; CITY OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000562-D	JEFFERSON
BRANDON DESHON V. COMMONWEALTH OF KENTUCKY	2007-SC-000579-D	JESSAMINE
RANDALL ISON V. MARK PENNINGTON AND CAPITOL TUNNELING, INC.	2007-SC-000583-D	LEWIS
WILLIAM GLENN SMITH V. COMMONWEALTH OF KENTUCKY	2007-SC-000584-D	BALLARD
CHARLES LUDWIG V. BOARD OF REGENTS, KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM	2007-SC-000620-D	WOODFORD

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

PILKINGTON PLC V. AFG INDUSTRIES, INC.	2007-SC-000662-D	MADISON
ELLIS SANDERS, ET AL. V. BOBBY SMITH, INDIVIDUALLY, ET AL. COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000664-D	PIKE
DAVID PAUL ADAMS V. COMMONWEALTH OF KENTUCKY	2007-SC-000684-D	CLARK
RODERICK LEE STEWART V. COMMONWEALTH OF KENTUCKY	2007-SC-000704-D	FAYETTE
JAMES BROOKS V. COMMONWEALTH OF KENTUCKY	2007-SC-000724-D	FAYETTE
FRANKLIN ROARK, JR. V. COMMONWEALTH OF KENTUCKY	2007-SC-000749-D	CAMPBELL
CAROLYN RICHARD V. KENTUCKY RETIREMENT SYSTEMS COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000837-D	FRANKLIN
TIMOTHY J. WOODARD V. COMMONWEALTH OF KENTUCKY	2007-SC-000857-D	WARREN
DEANGELA HARRIS STANLEY V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000882-D	FAYETTE
JERMAINE GRIGSBY V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000918-D	CAMPBELL

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
APRIL 16, 2008**

JAMES CLIFFORD LEACH V. COMMONWEALTH OF KENTUCKY	2007-SC-000934-D	BOYLE
ROBERT E. LADD V. PATRICIA DAY LADD	2008-SC-000005-D	CHRISTIAN
KEVIN STANFORD V. COMMONWEALTH OF KENTUCKY	2008-SC-000020-D	JEFFERSON
A.K. V. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES AND F.J.	2008-SC-000021-DE	JEFFERSON
GARY DEAN VAUGHN V. COMMONWEALTH OF KENTUCKY	2008-SC-000026-D	LAUREL
TERESA ANN CAVANAH V. COMMONWEALTH OF KENTUCKY	2008-SC-000043-D	WARREN
C.E. V. B.M.	2008-SC-000093-DE	MCCRACKEN

COURT ORDERS GRANTING MOTION TO TRANSFER – APRIL 24, 2008

ERNST & YOUNG LLP V. JULIE MIX MCCPEAK (EXECUTIVE DIRECTOR, KENTUCKY OFFICE OF INSURANCE AS REHABILITATOR OF AIK COMP, FOR AND ON BEHALF OF AIK COMP), ET AL.	2007-SC-000770-TG	FRANKLIN
ERNST & YOUNG LLP V. APPALACHIAN REGIONAL HEALTHCARE, INC., ET AL.	2007-SC-000936-TG	FRANKLIN

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

COURT ORDERS DENYING PETITION FOR REHEARING – APRIL 24, 2008

VICKI LYNN CARRIER V. COMMONWEALTH OF KENTUCKY	2005-SC-000440-MR	WASHINGTON
COMMONWEALTH OF KENTUCKY V. CHRISTY C. MORGAN	2005-SC-000702-DG	HART
LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT V. RAYMOND CHARLES BISCHOFF	2006-SC-000058-DG	JEFFERSON
RANDY HAIGHT V. COMMONWEALTH OF KENTUCKY	2006-SC-000344-MR	JEFFERSON
JOHNNIE DOUGLAS V. COMMONWEALTH OF KENTUCKY	2006-SC-000882-MR	JEFFERSON

COURT ORDERS DISMISSING

LIBERTY MUTUAL INSURANCE COMPANY V. DONALD FRITZ, ET AL. ORDER GRANTED MOTION TO WITHDRAW MOTION FOR DISCRETIONARY REVIEW. ENTERED: APRIL 16, 2008	2006-SC-000324-D	KENTON
CHRISTOPHER EARL NAIL V. COMMONWEALTH OF KENTUCKY ORDER GRANTED MOTION TO DISMISS. ENTERED: APRIL 8, 2008	2006-SC-000753-DG	HARDIN
ADDISON INSURANCE MARKETING, INC. ET AL. V. HON. BARRY WILLETT, JUDGE, JEFFERSON CIRCUIT COURT, ET AL. ORDER DISMISSED FOR FAILURE TO PERFECT APPEAL. ENTERED: APRIL 7, 2008	2008-SC-00034-OA	JEFFERSON

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

COURT ORDERS DISMISSING

STATE FARM AUTOMOBILE
INSURANCE COMPANY V.
RONALD KILLIN

2008-SC-000189-D

BOYD

**ORDER GRANTED MOTION TO WITHDRAW
MOTION FOR DISCRETIONARY REVIEW.**

ENTERED: MARCH 28, 2008

COURT ORDERS

SHIRLEY MCVAY LACH, INDIVIDUALLY
AND ON BEHALF OF MAN O' WAR
LIMITED PARTNERSHIP, A KENTUCKY
LIMITED PARTNERSHIP V.
MAN O' WAR, LLC, FORMERLY
MAN O WAR MANAGEMENT, LLC
(A KENTUCKY LIMITED LIABILITY
COMPANY), ET AL.

[2005-SC-001014-DG](#)

FAYETTE

**ORDER CORRECTED OPINION OF THE
COURT BY JUSTICE SCOTT, RENDERED
MARCH 20, 2008, BY SUBSTITUTION OF
PAGES 1, 8, 9 AND 16.**

ENTERED: MARCH 31, 2008

TIMOTHY CARL SHANE V.
COMMONWEALTH OF KENTUCKY
**ORDER CORRECTED OPINION OF THE
COURT BY JUSTICE NOBLE, RENDERED
DECEMBER 20, 2007, BY ADDING
CO-COUNSEL AND SUBSTITUTION OF
PAGES 1 AND 13.**

[2006-SC-000096-MR](#)

JEFFERSON

ENTERED: APRIL 9, 2008

SUPREME COURT OF KENTUCKY

MINUTES

APRIL 24, 2008

RELEASED: 10:00 A .M.

COURT ORDERS

RONNIE D. DAMRON V. 2006-SC-000504-MR CRITTENDEN
COMMONWEALTH OF KENTUCKY
**ORDER SUMMARILY REVERSED AND
REMANDED TO THE TRIAL COURT
FOR A NEW TRIAL.**
ENTERED: MARCH 25, 2008

C. WES COLLINS V. 2007-SC-000327-T FROM COURT
ADELE BURT BROWN, ET AL. OF APPEALS
**ORDER DENIED PETITION FOR LEAVE TO
FILE A LATE PETITION TO TRANSFER.**
ENTERED: APRIL 16, 2008

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION – APRIL 22, 2008**

DANIEL KEVIN ASTIN V. 2008-SC-000288-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

BETTY JOYCE GRAVES V. 2008-SC-000289-KB IN SUPREME
KENTUCKY BAR ASSOCIATION

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