

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

25. IRA E. BRANHAM; ET AL. V.
ELIZABETH STEWART
(GUARDIAN OF THE ESTATE
OF THE PERSON OF GARY
RYAN STEWART, AN
INCOMPETENT PERSON)
**OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
AFFIRMING**
SCOTT, J., DISSENTS BY
SEPARATE OPINION IN WHICH
CUNNINGHAM, J., JOINS.

[2007-SC-000250-DG](#)
TO BE PUBLISHED

PIKE

Questions Presented:
Professional Negligence. Attorney and Client. Infants. Guardian and Ward. Issues include whether malpractice suit may be brought by former infant and ward against attorney who represented former next friend and guardian.

26. DANNY MONTGOMERY V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE ABRAMSON –
AFFIRMING**
NOBLE, J., CONCURS IN RESULT
ONLY.

[2007-SC-000852-MR](#)
TO BE PUBLISHED

TRIMBLE

Questions Presented:
First Degree Sexual Abuse and First Degree Persistent Felony Offender-20 years. Evidence of defendant's similar abuse of three other young girls was properly admissible as to the sexual abuse charge under the modus operandi exception to KRE 404(b). Although the trial court may have abused its discretion by joining the rape and abuse offenses where joinder entailed the introduction of collateral acts of sexual abuse at defendant's rape trial, the misjoinder, if any, was not prejudicial. Trial court properly excluded evidence of minor victim's collateral sexual conduct and evidence that abuse allegations had been made against minor victim.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

27. PETITIONER F; ET AL. V.
BRIDGET SKAGGS BROWN,
COMMISSIONER, DEPARTMENT
OF JUVENILE JUSTICE, IN HER
OFFICIAL CAPACITY.
**OPINION OF THE COURT BY
JUSTICE SCHRODER –
AFFIRMING**
ALL SITTING. ALL CONCUR.

[2008-SC-000213-DG](#)
TO BE PUBLISHED

FRANKLIN

Questions Presented:
DNA sampling statutes are applicable to juvenile public offenders.

28. COMMONWEALTH OF
KENTUCKY, CABINET FOR
HEALTH AND FAMILY
SERVICES V.
HONORABLE GREGORY M.
BARTLETT, JUDGE, KENTON
CIRCUIT COURT AND
LARRY COLE; ET AL.
**OPINION OF THE COURT BY
JUSTICE NOBLE –
AFFIRMING**
ALL SITTING. ALL CONCUR.

[2008-SC-000508-MR](#)
TO BE PUBLISHED

KENTON

Questions Presented:
In a criminal case, the defendant's unquestionable constitutional right to exculpatory evidence in the government's possession gives a trial court the power to order an in camera review of KASPER reports.

29. BRANDON LEON WATKINS V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE CUNNINGHAM –
AFFIRMING**
ALL SITTING. ALL CONCUR.

[2008-SC-000567-DG](#)
TO BE PUBLISHED

TODD

Questions Presented:
Criminal Law. Standing . Search and Seizure. Abandonment. Issues include whether a suspect's immediate flight from a vehicle after being pulled over constitutes abandonment and thereby deprives the suspect of standing to contest the subsequent search of the vehicle.

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

30. MARK PADGETT V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE NOBLE –
AFFIRMING**
ALL SITTING. ALL CONCUR.

[2008-SC-000632-MR](#)
TO BE PUBLISHED

CAMPBELL

Questions Presented:
Affirmance of convictions of Criminal Attempt to commit First Degree manslaughter; Second Degree Assault and Violation of an Emergency Protective Order.

31. ALAN HUMMEL V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE NOBLE –
AFFIRMING**
SCOTT, J., CONCURS IN RESULT ONLY.

[2008-SC-000801-MR](#)
TO BE PUBLISHED

KENTON

Questions Presented:
First Degree Rape; Third Degree Rape and Second Degree Persistent Felony Offender. A request for self-representation may be denied upon a determination that the defendant is unable or unwilling to abide by courtroom protocol during the defense, or that the request is made purely as a tactic to disrupt or delay the proceedings. A trial court's determination will be reviewed for an abuse of discretion.

32. ROBERT CARL FOLEY V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE VENTERS –
AFFIRMING**
ALL SITTING. ALL CONCUR.

[2009-SC-000428-TG](#)
TO BE PUBLISHED

FRANKLIN

Questions Presented:
Affirmance of denial of Petition for Declaratory Judgment. KRS 503.055-the "Castle Doctrine" statute. Self-defense statutes in effect at the time of Foley's trial are constitutional.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

33. SPRINT COMMUNICATIONS COMPANY, L.P. V. ALBERT E. LEGGETT, III (AS TRUSTEE OF THE ALBERT E. LEGGETT FAMILY TRUST) **OPINION OF THE COURT BY JUSTICE VENTERS – AFFIRMING IN PART AND REVERSING IN PART** MINTON, C.J. AND ABRAMSON, J., NOT SITTING.
- [2005-SC-001023-DG](#) [2007-SC-000273-DG](#)
TO BE PUBLISHED
- JEFFERSON

Questions Presented:
Abuse of Process. Eminent Domain. Discovery. Issues include whether telephone company's attempted use of eminent domain statute to acquire building constitutes abuse of process.

34. KELLY MARQUETTE STEWART V. COMMONWEALTH OF KENTUCKY **OPINION OF THE COURT BY JUSTICE CUNNINGHAM – AFFIRMING IN PART AND VACATING IN PART** SCOTT, J., CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION.
- [2007-SC-000278-MR](#) [2007-SC-000853-MR](#)
TO BE PUBLISHED
- FAYETTE

Questions Presented:
First Degree Possession of a Controlled Substance; First Degree Promoting Contraband; Possession of Drug Paraphernalia (second or subsequent offense); Possession of Marijuana; Giving a Police officer a False Name; Representing as one's own another's license; Improper signal; Failure to illuminate a license plate; and First Degree Persistent Felony Offender. Erroneous jury instruction during the penalty phase, which omitted an element of the prior misdemeanor conviction, was palpable error.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

35. DAVID THOMAS COHRON V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
AFFIRMING, IN PART, AND
REVERSING AND REMANDING,
IN PART**
SCOTT, J., CONCURS, IN PART,
AND DISSENTS, IN PART, BY
SEPARATE OPINION.

[2007-SC-000483-MR](#)
TO BE PUBLISHED

JEFFERSON

Questions Presented:
First Degree Fleeing and Evading; First Degree Wanton Endangerment; Receiving Stolen Property over \$300; two counts of Second Degree Escape; Fourth Degree Assault; Reckless Driving; and First Degree Persistent Felony Offender-40 years. Reversal of one of the two Second Degree Escape convictions.

36. CASSANDRA SMITH V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE VENTERS –
AFFIRMING IN PART AND
REVERSING AND REMANDING
IN PART**
CUNNINGHAM, J., NOT SITTING.

[2008-SC-000060-DG](#)
TO BE PUBLISHED

JEFFERSON

Questions Presented:
Criminal Law. Search and Seizure. Miranda Warnings. Custody Determination. Issues include the admissibility of incriminating statements where the defendant was handcuffed but not Mirandized, and specifically whether the holding in Taylor v. Commonwealth, 182 S.W.3d 521 (Ky. 2006) that handcuffing a suspect does not necessarily constitute "custody" for Miranda purposes should be re-evaluated. Also at issue is the breadth of the safety exception which prevents questions from being deemed "interrogation."

SUPREME COURT OF KENTUCKY

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MARCH 18, 2010

RELEASED: 10:00 A.M.

37. ESSAMOND WILBURN V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE VENTERS – AFFIRMING IN PART AND REVERSING AND REMANDING IN PART
SCHRODER, J., CONCURS IN RESULT ONLY BY SEPARATE OPINION, IN WHICH SCOTT, J., JOINS. NOBLE, J., DISSENTS BY SEPARATE OPINION IN WHICH MINTON, C.J., JOINS.
- [2008-SC-000787-MR](#) JEFFERSON
TO BE PUBLISHED
- Questions Presented:**
First Degree Burglary; First Degree Robbery and Second Degree Persistent Felony Offender. Defendant was entitled to a directed verdict on the burglary charge. No Batson violation.
38. FREDERICK RENNEL HANNAH V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE SCOTT – REVERSING
MINTON, C.J., AND ABRAMSON, J., CONCUR IN RESULT ONLY. SCOTT, J., CONCURS BY SEPARATE OPINION.
- [2007-SC-000267-MR](#) MCCracken
TO BE PUBLISHED
- Questions Presented:**
Murder-Life Imprisonment. No “duty to retreat”. Trial court erred in not allowing the jury to be questioned during voir dire about any prejudice they might have regarding the “duty to retreat” and in prohibiting the defendant from arguing in closing argument that he had “no duty to retreat.”
39. COMMONWEALTH OF KENTUCKY V. LAWRENCE EVERETT ALLEMAN
OPINION OF THE COURT BY JUSTICE VENTERS – REVERSING
SCHRODER, J., DISSENTS BY SEPARATE OPINION IN WHICH MINTON, C.J., JOINS.
- [2007-SC-000570-DG](#) HARDIN
TO BE PUBLISHED
- Questions Presented:**
Trial court’s findings of fact and reasons for probation revocation entered orally on the record from the bench are sufficient to satisfy due process.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

40. THOMAS WEIRD V.
ERIC EMBERTON
**OPINION OF THE COURT –
REVERSING**
ABRAMSON, J., NOT SITTING.

[2008-SC-000372-DG](#)
TO BE PUBLISHED

JEFFERSON

Questions Presented:

Appellate Procedure. Filing of Appeal. At issue is whether an otherwise one-day late notice of appeal was rendered timely by the early closure of the Jefferson County Circuit Clerk's Office for the Derby parade on the due date.

41. CINCINNATI INSURANCE
COMPANY V.
MOTORISTS MUTUAL INSURANCE
COMPANY
**OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
REVERSING**
ALL SITTING. ALL CONCUR.

[2008-SC-000293-DG](#)
TO BE PUBLISHED

JEFFERSON

Questions Presented:

Insurance. Property damage. Contractors. At issue is whether contractual recovery may be premised upon a builder's substandard work.

42. FLUKE CORPORATION V.
GARY LEMASTER, ET AL.
**OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
REVERSING**
ALL SITTING. ALL CONCUR.

[2008-SC-000530-DG](#)
TO BE PUBLISHED

PERRY

Questions Presented:

Statute of Limitations. Equitable Tolling. Issues include whether failure to report product safety concerns to federal regulatory agency estops defendant from invoking statute of limitations defense to a claim for injuries caused by the product.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

43. CENTRAL KENTUCKY
NEWS-JOURNAL V.
HON. DOUGHLAS M. GEORGE
(JUDGE, TAYLOR CIRCUIT
COURT), ET AL.
**OPINION OF THE COURT BY
JUSTICE SCOTT–
REVERSING**
CUNNINGHAM, J., CONCURS
BY SEPARATE OPINION IN
WHICH SCOTT, J., JOINS.

[2009-SC-000018-MR](#)
TO BE PUBLISHED

TAYLOR

Questions Presented:
Settlement agreements involving the
expenditure of public funds were subject to
disclosure under the Open Records Act.
Agreements were not exempt from
disclosure under the Act's personal privacy
exception, KRS 61.878(1)a.

44. COMMONWEALTH OF KENTUCKY,
EX REL. J. MICHAEL BROWN,
SECRETARY, JUSTICE AND PUBLIC
SAFETY CABINET V.
INTERACTIVE MEDIA
ENTERTAINMENT AND GAMING
ASSOCIATION, INC.; ET AL.
**OPINION OF THE COURT BY
JUSTICE NOBLE –
REVERSING**
SCOTT, J., CONCURS IN RESULT
ONLY. CUNNINGHAM, J., NOT
SITTING.

[2009-SC-000043-MR](#)
TO BE PUBLISHED

FRANKLIN

Questions Presented:
Internet domain names and associations of
anonymous domain registrants do not have
standing to defend against forfeiture actions.

45. DARRELL H. MOORE, ET AL. V,
ROY E. STILLS, ET AL.
**OPINION OF THE COURT BY
JUSTICE ABRAMSON –
REVERSING**
SCOTT, J., DISSENTS BY
SEPARATE OPINION IN WHICH
VENTERS, J., JOINS.

[2008-SC-000193-DG](#)
TO BE PUBLISHED

HOPKINS

Questions Presented:
Petitioner's recreational use was not enough
to establish adverse possession of another's
land under common law or KRS 411.190(8).
Petitioner failed to prove the "well-defined
boundary" element of their claim.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

46. FRED LEE COLVARD V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE VENTERS – REVERSING AND REMANDING
MINTON, C.J., CONCURS IN PART AND DISSENTS IN PART AND WOULD NOT ALLOW INTRODUCTION OF 1994 ATTEMPTED RAPE CONVICTION BECAUSE THE FACTS OF THE CURRENT CASE ARE NOT SUFFICIENTLY SIMILAR TO SATISFY KRE 404(B). HE CONCURS IN ALL OTHER RESPECTS. SCOTT, J., CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION IN WHICH ABRAMSON, J., JOINS.
- [2007-SC-000477-MR](#) JEFFERSON
TO BE PUBLISHED

Questions Presented:

First Degree Sodomy; two counts of First Degree Rape; First Degree Burglary and Second Degree Persistent Felony Offender-Life Imprisonment. Testimony from medical personnel was improperly admitted through the hearsay exception under KRE 803(4). Court's previous interpretation of the hearsay exception for "statements for purposes of medical treatment or diagnosis" was too broad; testimony herein was inappropriate.

47. TERRY GLENN HOBSON V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE VENTERS – REVERSING AND REMANDING
ALL SITTING. ALL CONCUR.
- [2007-SC-000645-DG](#) BOYD
TO BE PUBLISHED

Questions Presented:

Criminal Law. Robbery. Issues include whether escape stage occurs "in the course of committing theft" under KRS 515 .020.

48. ROBERT EUGENE DENNIS V. COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY JUSTICE ABRAMSON – VACATING AND REMANDING
ALL SITTING. ALL CONCUR.
- [2008-SC-000049-MR](#) DAVIESS
TO BE PUBLISHED

Questions Presented:

Three counts of First Degree Sodomy and First Degree Sexual Abuse-65 years. Trial court erred in failing to obtain and review potentially material CHFS records.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

49. WOODIE CANTRELL, ET AL. V. ASHLAND OIL, INC., ET AL.
MEMORANDUM OPINION OF THE COURT – AFFIRMING
CUNNINGHAM, J., CONCURS IN RESULT ONLY BY SEPARATE OPINION. SCHRODER AND SCOTT, JJ., NOT SITTING. [2006-SC-000763-DG](#)
[2007-SC-000818-DG](#)
NOT TO BE PUBLISHED JOHNSON
50. ROBERT SOLINGER, M.D.; ET AL. V. MELANIE PEARSON, ET AL.
AND
NORTON HOSPITAL, INC. V. MELANIE PEARSON
MEMORANDUM OPINION OF THE COURT – AFFIRMING
SCOTT AND VENTERS, JJ., CONCUR IN RESULT ONLY. CUNNINGHAM, J., CONCURS BY SEPARATE OPINION. NOBLE, J., DISSENTS BY SEPARATE OPINION. [2007-SC-000389-DG](#)
[2008-SC-000133-DG](#)
NOT TO BE PUBLISHED JEFFERSON
51. BRYAN RICHARD HAMM V. COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT – AFFIRMING
NOBLE, J., DISSENTS BY SEPARATE OPINION IN WHICH MINTON, C.J., JOINS. [2007-SC-000616-MR](#)
NOT TO BE PUBLISHED FAYETTE

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

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| 52. | MICHAEL THURMAN BALL V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT –
<u>AFFIRMING</u>
SCHRODER, J., DISSENTS BY
SEPARATE OPINION IN WHICH
NOBLE, J., JOINS. NOBLE, J.,
DISSENTS BY SEPARATE
OPINION IN WHICH SCHRODER,
J., JOINS. CUNNINGHAM, J., NOT
SITTING. | 2008-SC-000430-MR
NOT TO BE PUBLISHED | BATH |
| 53. | VERONA BRINEGAR V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000491-MR
NOT TO BE PUBLISHED | MADISON |
| 54. | CAREY MCNEIL V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000647-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 55. | ROBERT CARL FOLEY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000909-TG
NOT TO BE PUBLISHED | LAUREL |
| 56. | BILLY MASH V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000951-MR
NOT TO BE PUBLISHED | MCCRACKEN |

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

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| 57. | STEVEN BRYANT V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2009-SC-000054-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 58. | VIRGIL LEE KELLY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2009-SC-000090-TG
NOT TO BE PUBLISHED | CLARK |
| 59. | JAMES E. TIPTON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2009-SC-000119-MR
NOT TO BE PUBLISHED | MEADE |
| 60. | TERRY GIBSON V.
KUHN GIBSON & SON PLUMBING;
ET AL.
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
ALL SITTING. ALL CONCUR. | 2009-SC-000412-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 61. | ANTHONY L. RODEBACK V.
HON. CHARLES R. HICKMAN,
JUDGE, SHELBY CIRCUIT COURT,
ET AL.
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING</u>
MINTON, C.J.; AND ABRAMSON, J.,
CONCUR IN RESULT ONLY. | 2009-SC-000636-MR
NOT TO BE PUBLISHED | SHELBY |

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

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| 62. | CHRISTOPHER STEWARD V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING IN PART, REVERSING
IN PART</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000617-MR
NOT TO BE PUBLISHED | KENTON |
| 63. | RAYMOND KEETON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING IN PART AND REVERSING
IN PART</u>
SCOTT, J., CONCURS IN PART AND
DISSENTS IN PART BY SEPARATE
OPINION IN WHICH CUNNINGHAM, J.,
JOINS. | 2008-SC-000659-MR
NOT TO BE PUBLISHED | HOPKINS |
| 64. | WILLIE L. LITTLE V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING IN PART AND REVERSING
IN PART</u>
ALL SITTING. ALL CONCUR. | 2008-SC-000923-MR
NOT TO BE PUBLISHED | LETCHER |
| 65. | TIMOTHY SMITH V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT –
<u>AFFIRMING IN PART AND VACATING
IN PART</u>
MINTON, C.J.; AND ABRAMSON, J.,
CONCUR IN RESULT ONLY. NOBLE,
J., DISSENTS BY SEPARATE OPINION,
IN WHICH SCHRODER, J., JOINS.
SCOTT, J., CONCURS IN PART AND
DISSENTS IN PART BY SEPARATE
OPINION. | 2008-SC-000786-MR
NOT TO BE PUBLISHED | KENTON |

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

66. GLENN ODOM V. COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT –
AFFIRMING IN PART, REVERSING IN PART, AND REMANDING
ALL SITTING. ALL CONCUR. [2008-SC-000272-MR](#) JEFFERSON
NOT TO BE PUBLISHED
67. JUAN R. PELEGRIN-VIDAL V. COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT –
REVERSING
NOBLE, J., CONCURS IN RESULT BE SEPARATE OPINION.
ABRAMSON, J., CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION IN WHICH MINTON, C.J., AND CUNNINGHAM, J., JOIN. CUNNINGHAM, J., CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION IN WHICH MINTON, C.J., AND ABRAMSON, J., JOIN. [2007-SC-000848-MR](#) JEFFERSON
NOT TO BE PUBLISHED
68. RONALD CRABTREE V. COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT –
REVERSING
NOBLE, J., CONCURS IN RESULT ONLY. SCOTT, J., DISSENTS BY SEPARATE OPINION IN WHICH CUNNINGHAM, J., JOINS. [2008-SC-000551-MR](#) MADISON
NOT TO BE PUBLISHED

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

69. DESMOND J. SNORTON V. [2008-SC-000612-MR](#) CALDWELL
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF THE
COURT –
REVERSING**
NOT TO BE PUBLISHED
ABRAMSON, J., CONCURS IN
RESULT ONLY. CUNNINGHAM,
J., CONCURS IN PART AND
DISSENTS IN PART BY SEPARATE
OPINION.
70. KENNETH PATTERSON V. [2008-SC-000236-MR](#) FULTON
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF THE
COURT –
REVERSING AND REMANDING**
NOT TO BE PUBLISHED
CUNNINGHAM, J., NOT SITTING.
71. JAMES STUMP V. [2009-SC-000531-WC](#) FROM COURT
RIVERTOWN STEEL; ET AL. OF APPEALS
**MEMORANDUM OPINION OF THE
COURT –
VACATING AND DISMISSING**
NOT TO BE PUBLISHED
ALL SITTING. ALL CONCUR.

OPINIONS AND ORDERS – MARCH 10, 2010

JERMAINE CHATMAN V. 2009-SC-000465-DG SIMPSON
COMMONWEALTH OF KENTUCKY
**ORDER GRANTED DISCRETIONARY REVIEW,
VACATED THE COURT OF APPEALS OPINION
AND REMANDED TO THE COURT OF APPEALS
FOR FURTHER PROCEEDINGS.**
ALL SITTING. ALL CONCUR.

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – MARCH 18, 2010

BRADLEY F. WALLACE V.
KENTUCKY BAR ASSOCIATION
**ORDER DENIED MOVANT
REINSTATEMENT TO THE
PRACTICE OF LAW.**
ALL SITTING. ALL CONCUR.

2008-SC-000636-KB
NOT TO BE PUBLISHED

IN SUPREME
COURT

KENNETH W. LAMPE V.
KENTUCKY BAR ASSOCIATION
**ORDER REINSTATED MOVANT
TO THE PRACTICE OF LAW.**
ALL SITTING. ALL CONCUR.

[2008-SC-000850-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

THELMA SPENCER COMBS;
ET AL. V.
HONORABLE FRANK ALLEN
FLETCHER (JUDGE, BREATHITT
CIRCUIT COURT), ET AL.
ORDER AFFIRMED.
NOBLE, J., NOT SITTING.

2009-SC-000258-MR
NOT TO BE PUBLISHED

BREATHITT

DAVID MOORE COORSSEN V.
KENTUCKY BAR ASSOCIATION
**ORDER REINSTATED MOVANT
TO THE PRACTICE OF LAW
WITH CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2009-SC-000307-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

THELMA SPENCER COMBS; ET AL. V.
KENTUCKY COURT OF APPEALS
AND SUPREME COURT OF KENTUCKY
ORDER DISMISSED.
NOBLE, J., NOT SITTING.

[2009-SC-000486-OA](#)
TO BE PUBLISHED

IN SUPREME
COURT

KEVIN DWAYNE SAMPLES V.
KENTUCKY BAR ASSOCIATION
**ORDER RESTORED MOVANT TO
THE PRACTICE OF LAW.**
ALL SITTING. ALL CONCUR.

[2009-SC-000537-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – MARCH 18, 2010

KENTUCKY BAR ASSOCIATION V. DOUGLAS C. COMBS, JR. ORDER PERMANENTLY DISBARRED RESPONDENT FROM THE PRACTICE OF LAW. ALL SITTING. ALL CONCUR.	2009-SC-000688-KB TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. LUANN C. GLIDEWELL ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR THREE YEARS. ALL SITTING. ALL CONCUR.	2009-SC-000695-KB TO BE PUBLISHED	IN SUPREME COURT
ANGELA RENEE KINSER V. KENTUCKY BAR ASSOCIATION ORDER RESTORED MOVANT TO THE PRACTICE OF LAW. ALL SITTING. ALL CONCUR.	2009-SC-000720-KB TO BE PUBLISHED	IN SUPREME COURT
THE COURIER-JOURNAL, INC.; ET AL. V. LEONARD LAWSON; ET AL. ORDER AFFIRMED. ALL SITTING. ALL CONCUR.	2009-SC-000756-I TO BE PUBLISHED	FRANKLIN
IN RE: HEATHER ELIZABETH ROCHET ORDER DENIED MOTION TO RECONSIDER ORDER OF SUSPENSION. ALL SITTING. ALL CONCUR.	2010-SC-000013-KB TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. RONALD DEAN HARRIS ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR SIXTY-ONE (61) DAYS. ALL SITTING. ALL CONCUR.	2010-SC-000016-KB TO BE PUBLISHED	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – MARCH 18, 2010

PAUL GREGORY CROUSHORE V.
KENTUCKY BAR ASSOCIATION
**ORDER RETROACTIVELY SUSPENDED
MOVANT FROM THE PRACTICE OF
LAW FOR 1 YEAR.**
ALL SITTING. ALL CONCUR.

[2010-SC-000030-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

GEORGE LAPRADD, JR. V.
COMMONWEALTH OF KENTUCKY

2009-SC-000214-DG

JEFFERSON

REUBIN BAILEY V.
PRESERVE RURAL ROADS OF MADISON
COUNTY, INC. AND CURTIS TATE

2009-SC-000417-DG

MADISON

PROGRESSIVE MAX INSURANCE
COMPANY V.
NATIONAL CAR RENTAL SYSTEMS, INC.

2009-SC-000577-DG

JEFFERSON

COMMONWEALTH OF KENTUCKY V.
MARK JOHNSON

2009-SC-000589-DG

GRAVES

CAROLYN RICE V.
JACKIE RICE

2009-SC-000730-DG

GREENUP

COMMONWEALTH OF KENTUCKY V.
JAMES ADKINS

2009-SC-000782-DG

OHIO

INDUSTRIAL RISK INSURERS,
AN UNINCORPORATED ASSOCIATION,
ET AL. V.
GIDDINGS & LEWIS, INC.,
A WISCONSIN CORPORATION, ET AL.

2009-SC-000825-DG

GRAVES

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

MICHAEL G. BEGLIN, EXECUTOR OF THE ESTATE OF JENNIFER W. BEGLIN, ET AL. V. UNIVERSITY MEDICAL CENTER, INC., D/B/A UNIVERSITY OF LOUISVILLE HOSPITAL	2009-SC-000839-D	JEFFERSON
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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

BUTLER & ASSOCIATES, P.S.C. V. DAVID R. HARROD, ET AL.	2009-SC-000194-D	FRANKLIN
KENNETH E. ASHER V. BARBARA ASHER	2009-SC-000201-D	JEFFERSON
CHARLES ADAMS V. LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT	2009-SC-000202-D	JEFFERSON
ST. MATTHEWS FIRE PROTECTION DISTRICT V. JOHN E. AUBREY, JEFFERSON COUNTY SHERIFF; ET AL.	2009-SC-000236-D	JEFFERSON
JOSHUA CROMER V. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT	2009-SC-000247-D	FAYETTE
K.F., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2009-SC-000316-D	KENTON
BOBBY DAVID BROCKMAN V. COMMONWEALTH OF KENTUCKY	2009-SC-000331-D	RUSSELL
TOMMY G. LAMBERT V. COMMONWEALTH OF KENTUCKY	2009-SC-000355-D	KNOX

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

CONCEPT HOMES, LLC; DENNIS ZAHLER; SCOTT ZAHLER; AND ERIC DETERS V. VICTORIA HUEBENER; AND JERRY HUEBENER	2009-SC-000365-D	CAMPBELL
JEFFREY MCDONALD; DONNA WALDRUM; DONALD MOORE; AND GERALD BROWNLEE V. COMMONWEALTH OF KENTUCKY, DEPARTMENT OF REVENUE, FINANCE AND ADMINISTRATION CABINET, ET AL.	2009-SC-000399-D	FRANKLIN
CHARLES W. STRATTON V. COMMONWEALTH OF KENTUCKY	2009-SC-000426-D	CAMPBELL
DARLENE HARRIS V. CAMP TAYLOR FIRE PROTECTION DISTRICT	2009-SC-000427-D	JEFFERSON
GEORGE A. GABBARD V. COMMONWEALTH OF KENTUCKY	2009-SC-000453-D	BELL
MICHAEL MCINTOSH V. COMMONWEALTH OF KENTUCKY	2009-SC-000455-D	CAMPBELL
LEXICON, INC., D/B/A SCHUECK STEEL V. ICON CONSTRUCTION, INC., ET AL.	2009-SC-000459-D	CARROLL
TERRY LAWRENCE MANN V. KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD	2009-SC-000464-D	FRANKLIN
ISMAEL ROQUE GUTIERREZ V. COMMONWEALTH OF KENTUCKY	2009-SC-000469-D	TRIMBLE

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

CLEVELAND DEVONE FINCH V. COMMONWEALTH OF KENTUCKY	2009-SC-000473-D	JEFFERSON
THOMAS M. BOYD V. JOHN B. BOYD	2009-SC-000491-D	TRIGG
COMMONWEALTH OF KENTUCKY, COMMERCE CABINET (NOW TOURISM, ARTS AND HERITAGE CABINET), DEPARTMENT OF FISH AND WILDLIFE RESOURCES V. JULIE BADGETT	2009-SC-000499-D	FRANKLIN
FAYETTE COUNTY BOARD OF EDUCATION V. CAROL LYNNE MANER, ET AL.	2009-SC-000505-D	FAYETTE
MICHAEL TAYLOR V. COMMONWEALTH OF KENTUCKY	2009-SC-000507-D	HARDIN
D.B., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2009-SC-000510-D	SIMPSON
COMMONWEALTH OF KENTUCKY V. CASSANDRA TAYLOR	2009-SC-000517-D	OWEN
LEXCIN PARTNERS, LTD V. NEWMARK SOUTHERN REGION, LLC	2009-SC-000540-D	FAYETTE
ADRIAN BROWN V. COMMONWEALTH OF KENTUCKY	2009-SC-000553-D	HARDIN

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

KENNETH L. RAMSEY; AND RAMSEY FARM V. DAVID LAMBERT; AND EQUINE ANALYSIS SYSTEMS, INC. THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2009-SC-000554-D	FAYETTE
LAMONT ROBERTS V. COMMONWEALTH OF KENTUCKY	2009-SC-000558-D	JEFFERSON
JEANNE WELSH V. PHOENIX TRANSPORTATION SERVICES; AND KEVIN B. WARREN THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2009-SC-000571-D	SCOTT
TEKO HATFIELD V. COMMONWEALTH OF KENTUCKY	2009-SC-000591-D	JEFFERSON
JEFFERY L. CARPENTER V. COMMONWEALTH OF KENTUCKY	2009-SC-000594-D	BUTLER
THEODORE BRADFORD, ET AL. V. CITY OF CRESTVIEW HILLS, ET AL. AND THEODORE BRADFORD, INDIVIDUALLY, ET AL. V. PEOPLES COMMUNITY BANK, ET AL.	2009-SC-000597-D	KENTON
	2009-SC-000599-D	KENTON
DAVID BAILEY V. COMMONWEALTH OF KENTUCKY	2009-SC-000616-D	HARRISON

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES V. GAMBREL'S FOOD MART, INC. THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2009-SC-000617-D	FRANKLIN
INGRID WOODS V. WESTERN KENTUCKY UNIVERSITY	2009-SC-000622-D	WARREN
MILDRED PATTON V. KENTUCKY RETIREMENT SYSTEMS	2009-SC-000646-D	FRANKLIN
KURT ROBERT SMITH V. COMMONWEALTH OF KENTUCKY	2009-SC-000649-D	FAYETTE
ADRIAN LONDON V. COMMONWEALTH OF KENTUCKY	2009-SC-000667-D	MCCRACKEN
DAVID LEE LEWIS, JR. V. COMMONWEALTH OF KENTUCKY	2009-SC-000669-D	BELL
MARCUS BUFORD V. COMMONWEALTH OF KENTUCKY THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2009-SC-000690-D	MCCRACKEN
JOHN & CHRIS CONSTRUCTION, LLC V. MEADOW PEAK HOMEOWNERS ASSOCIATION, INC.	2009-SC-000697-D	BULLITT
LOUISVILLE GALLERIA, LLC; AND MANUFACTURERS AND TRADERS TRUST COMPANY V. SCARBOROUGH MECHANICAL SERVICE, INC.	2009-SC-000735-D	JEFFERSON

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 10, 2010**

SCARBOROUGH MECHANICAL SERVICES, INC. V. LOUISVILLE GALLERIA, INC.; AND MANUFACTURERS AND TRADERS TRUST COMPANY	2009-SC-000739-D	JEFFERSON
RANDALL E. KING V. KAREN LYNN KING	2009-SC-000761-D	DAVIESS
J. S., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2009-SC-000781-DE	FAYETTE
HOLLY CREEK PRODUCTION CORPORATION V. DOWIE BANKS; AND MARTHA BANKS THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2009-SC-000799-D	WOLFE
THE LANCASTER AGENCY, INC.; AND CHARLES E. LANCASTER, JR. V. CHARLES GARRETT; AND GINA GARRETT	2009-SC-000802-D	MARION
SCOTTFORD LEE BRYANT V. COMMONWEALTH OF KENTUCKY	2010-SC-000008-D	BARREN

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

ERIC WAYNE RAGSDALE V. COMMONWEALTH OF KENTUCKY JANUARY 29, 2010	2009-SC-000707-MR	JEFFERSON
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SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

COURT ORDERS DENYING MOTION TO TRANSFER – MARCH 18, 2010

COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. V. BLUEGRASS ORTHOPAEDICS SURGICAL DIVISION, LLC.	2009-SC-000691-T	FRANKLIN
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COURT ORDERS DENYING PETITION FOR REHEARING – MARCH 18, 2010

STEPHEN R. CHAPPELL, INDIVIDUALLY AND AS PARTNERS AND/OR EMPLOYEES OF LANDRUM & SHOUSE, A KENTUCKY GENERAL PARTNERSHIP, ET AL. V. KUHLMAN ELECTRIC CORPORATION AND	2006-SC-000140-DG	FAYETTE
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KUHLMAN ELECTRIC CORPORATION V. STEPHEN R. CHAPPELL, INDIVIDUALLY AND AS PARTNERS AND/OR EMPLOYEES OF LANDRUM & SHOUSE, A KENTUCKY GENERAL PARTNERSHIP, ET AL.	2006-SC-000144-DG	FAYETTE
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JAMES HUNT V. COMMONWEALTH OF KENTUCKY ORDER MODIFIED OPINION OF THE COURT BY JUSTICE VENTERS RENDERED NOVEMBER 25, 2009, AND SUBSTITUTED IN LIEU OF THE ORIGINAL OPINION.	2006-SC-000634-MR	FLOYD
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COMMONWEALTH OF KENTUCKY V. KEVIN T. MCCOMBS ORDER MODIFIED OPINION OF THE COURT BY JUSTICE CUNNINGHAM, RENDERED MARCH 19, 2009, AND SUBSTITUTED IN LIEU OF THE ORIGINAL OPINION.	2007-SC-000127-DG	BULLITT
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SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

COURT ORDERS DENYING PETITION FOR REHEARING – MARCH 18, 2010

THE KROGER COMPANY, 2008-SC-000415-DG WARREN
D/B/A COUNTRY OVEN BAKERY V.
JOANNE BUCKLEY

QUINCY OMAR CROSS V. [2008-SC-000465-MR](#) HICKMAN
COMMONWEALTH OF KENTUCKY
**ORDER MODIFIED OPINION OF THE
COURT RENDERED NOVEMBER 25,
2009, AND SUBSTITUTED IN LIEU OF
THE ORIGINAL OPINION.**

JOHN A. HUMPHRESS, JR. V. 2009-SC-000138-MR TAYLOR
HON. DOUGHLAS M. GEORGE,
JUDGE, TAYLOR CIRCUIT COURT
AND
PATRICIA ANN HUMPHRESS; ET AL.

COURT ORDERS DISMISSING

COMMONWEALTH OF KENTUCKY, 2008-SC-000552-MR WOODFORD
CABINET FOR HEALTH AND FAMILY
SERVICES V.
HON. ROBERT JOHNSON, JUDGE,
WOODFORD CIRCUIT COURT
AND
JASON LEE TODD, REAL PARTY IN
INTEREST
ENTERED: MARCH 18, 2010

ANGIE TERREESE RICKETS V. 2009-SC-000723-D HARDIN
COMMONWEALTH OF KENTUCKY
ENTERED: MARCH 10, 2010

FORD MOTOR COMPANY V. 2009-SC-000753-MR JEFFERSON
HON. CONLIFFE F. KENNETH,
JUDGE, JEFFERSON CIRCUIT
COURT, ET AL.
ENTERED: JANUARY 26, 2010

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

COURT ORDERS DISMISSING

WAL-MART STORES, INC. V. 2007-SC-000841-MR BOYD
HON. MARC I. ROSEN, JUDGE,
BOYD CIRCUIT COURT, ET AL.
ENTERED: JANUARY 27, 2010

COURT ORDERS

ASSOCIATED INSURANCE SERVICE, 2008-SC-000037-DG JEFFERSON
INC. ET AL. V.
DANIEL GARCIA, M.D. ET AL.
**ORDER MODIFIED OPINION OF THE
COURT BY JUSTICE CUNNINGHAM
RENDERED JANUARY 21, 2010, BY
MODIFICATION ON LINE 4 OF PAGE 7.**
ENTERED: FEBRUARY 3, 2010

MELISSA HELTON V. 2008-SC-000141-MR JESSAMINE
COMMONWEALTH OF KENTUCKY
**ORDER MODIFIED OPINION OF THE
COURT BY JUSTICE NOBLE RENDERED
AUGUST 27, 2009, BY SUBSTITUTING
PAGES 1 AND 13.**
ENTERED: JANUARY 26, 2010

RALPH BAZE V. 2009-SC-000188-MR FRANKLIN
LADONNA THOMPSON, COMMISSIONER,
DEPARTMENT OF CORRECTIONS
**ORDER DENIED MOTION TO STAY THE
ENFORCEMENT OF OPINION RENDERED
JANUARY 21, 2010.**
ENTERED: FEBRUARY 24, 2010

KURT J. LOWE V. 2009-SC-000478-OA IN SUPREME
COMMONWEALTH OF KENTUCKY COURT
**ORDER DENIED MOTION TO OBJECT,
RECONSIDER AND CORRECT ERROR.**
ENTERED: JANUARY 21, 2010

SUPREME COURT OF KENTUCKY

MINUTES
MARCH 18, 2010

RELEASED: 10:00 A.M.

COURT ORDERS

KENTUCKY BAR ASSOCIATION V. ERIC LAMAR EMERSON ORDER MODIFIED OPINION OF THE COURT BY MODIFICATION ON PAGE 4, LINE 4 TO CORRECT SUPREME COURT RULE NUMBER. ENTERED: MARCH 5, 2010	2009-SC-000508-KB	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION CLE COMMISSION V. JEROME REID BAKER, JR. RESPONDENT ORDERED TO PAY \$75.00 TO THE KBA IN LIEU OF SUSPENSION FOR NON COMPLIANCE OF CLE REQUIREMENTS. ENTERED: MARCH 18, 2010	2009-SC-000835-KB	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. JASON PATRICK FERRANTE RESPONDENT ORDERED TO PAY \$200.00 TO THE KBA IN LIEU OF SUSPENSION FOR NON COMPLIANCE OF CLE REQUIREMENTS. ENTERED: JANUARY 12, 2010	2009-SC-000837-KB	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. D. ANTHONY BRINKER RESPONDENT ORDERED TO PAY \$750.00 TO THE KBA IN LIEU OF SUSPENSION FOR NON COMPLIANCE OF CLE REQUIREMENTS. ENTERED: MARCH 18, 2010	2010-SC-000004-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

**MINUTES
MARCH 18, 2010**

RELEASED: 10:00 A.M.

COURT ORDERS

KENTUCKY BAR ASSOCIATION,
CLE COMMISSION V.
BRIAN LARS HAYNES
**ORDER GRANTED EXTENSION
OF TIME TO COMPLETE CLE
REQUIREMENTS.**
ENTERED: MARCH 18, 2010

2010-SC-000005-KB

IN SUPREME
COURT

JAMES MICHAEL WHITE V.
COMMONWEALTH OF KENTUCKY
**ORDER DENIED MOTION TO PROCEED
IN FORMA PAUPERIS.**
ENTERED: JANUARY 29, 2010

2010-SC-000026-D

CHRISTIAN
COURT

KENTUCKY BAR ASSOCIATION V.
WILLIAM O. AYERS
**ORDER CONFIRMED AUTOMATIC
SUSPENSION.**
ENTERED: MARCH 18, 2010

[2010-SC-000064-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION LAW – MARCH 9, 2010**

DARRYL M. KATES V.
KENTUCKY BAR ASSOCIATION

2010-SC-000165-KB

IN SUPREME
COURT