

UPDATED: 1/29/2020

JANUARY 2020
ORAL ARGUMENT
CALENDAR

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Wednesday, January 22, 2020

10:45 AM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

COMBS, HON. SARA W.

2018CA001800

BRUCE MARIO BENTON v COMMONWEALTH OF KENTUCKY

Facts: Police stop Appellant's vehicle on the grounds that they ran the plates and discovered there was an active arrest warrant for owner of the vehicle. Appellant tells police that he is driving father's car and produces identification. Upon checking this information, police learn Appellant is not subject to an active arrest warrant. Police search car anyway on ground they smell marijuana. At the subsequent suppression hearing, police officer cannot produce warrant or remember name of individual who allegedly had active warrant. Trial court denies motion to suppress, crediting police officer's testimony that police ran plates and discovered there was an active warrant for owner of the car.

Issue: Was there substantial evidence to support trial court's finding that police had reasonable suspicion for stop when police could not produce evidence of active, valid arrest warrant beyond the police officer's testimony?

CRIMINAL

FAYETTE COUNTY

HON ERNESTO M. SCORSONE

Appellant Atty:

Appellant Name:

BEWLEY, JARED
MATTINGLY, MOLLY

BENTON, BRUCE

Appellee Atty:

Appellee Name:

BECKETT, JOSEPH
REDCORN, LOU
ROBBINS, JESSE

COMMONWEALTH OF KENTUCKY

** NOTE:

11:30 AM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

COMBS, HON. SARA W.

2018CA000991

DAVID HENGHELD v CITY OF FLORENCE

2018CA001454

Facts: Appellants keep 48 chickens on their residential property as pets. The City of Florence has ordinance that lists "keeping and use of pets and animals" as permissible use of building in residential zone. However, city also has ordinance that prohibits "chicken coops." Code Enforcement Board, District Court, and Circuit Court finds that Appellants' chickens do not qualify as "pets" under ordinance.

Issues: 1) What deference should be given to a Code Enforcement Board's interpretation of a city ordinance?
2) Should Appellant's appeal be dismissed because it failed to name an indispensable party in the District Court Proceedings?
3) Is the keeping of chickens as pets prohibited under the City's ordinance?

BOONE COUNTY

HON JAMES R. SCHRAND

Appellant Atty:

Appellant Name:

PURTELL, WILLIAM

HENGHELD, JULIE

Appellee Atty:

Appellee Name:

NIENABER, THOMAS

CITY OF FLORENCE

** NOTE:

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR COURT OF APPEALS COURTROOM, LOUISVILLE, KENTUCKY**DATE: Wednesday, January 22, 2020**

11:00 AM PJ: JONES, HON. ALLISON E.

KRAMER, HON. JOY A.

TAYLOR, HON. JEFF S.

2019CA000445

JORDAN R. SANDERS v COMMONWEALTH OF KENTUCKY

The issue on appeal is whether the trial court erroneously denied the Appellant jail credit for the time he spent on home incarceration pending trial and sentencing. Appellant was placed on home incarceration without electronic monitoring.

CRIMINAL**EDMONSON COUNTY****HON TIMOTHY R COLEMAN**

Appellant Atty:

Appellant Name:

SIMPSON, B.

SANDERS, JORDAN

Appellee Atty:

Appellee Name:

NEWBERG, JOSEPH

COMMONWEALTH OF KENTUCKY

**** NOTE:**

01:15 PM PJ: KRAMER, HON. JOY A.

JONES, HON. ALLISON E.

TAYLOR, HON. JEFF S.

2019CA000480

S. M. v CABINET FOR HEALTH AND FAMILY SERVICES

Termination of Parental Rights

JEFFERSON COUNTY**HON GINA KAY CALVERT**

Appellant Atty:

Appellant Name:

BRICKING, ELIZABETH

M., S.

Appellee Atty:

Appellee Name:

CLAY, JENNIFER

CABINET FOR HEALTH AND FAMILY SERVICES

ELDER, JOSEPH II

M., B.

VICHEZ, MARTIN

V., M.

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR COURT OF APPEALS COURTROOM, LOUISVILLE, KENTUCKY

DATE: Wednesday, January 22, 2020

02:45 PM PJ: TAYLOR, HON. JEFF S.

JONES, HON. ALLISON E.

KRAMER, HON. JOY A.

2018CA001710 DAVID JONES v CLARK COUNTY, KENTUCKY

Whether circuit court erred by determining that KRS 441.265 authorizes a jail to assess and collect fees from inmates who have not been convicted.

CIVIL

CLARK COUNTY

HON JEAN CHENAULT LOGUE

Appellant Atty:

**BATHURST, CAMILLE
BELZLEY, GREGORY
BOYD, MATTHEW**

Appellant Name:

JONES, DAVID

Appellee Atty:

MANDO, JEFFREY

Appellee Name:

CLARK COUNTY, KENTUCKY

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR COURT OF APPEALS COURTROOM, LOUISVILLE, KENTUCKY**DATE: Tuesday, January 28, 2020**

10:00 AM PJ: CLAYTON, HON. DENISE G. NICKELL, HON. C. SHEA THOMPSON, HON. LARRY E.
2018CA000793 KENTUCKY AUTHORITY FOR EDUCATIONAL TELEVISION v ESTATE OF PATRICK WISE

Whether unclassified state employee may seek relief before Personnel Board for claims of discrimination.

CIVIL	FRANKLIN COUNTY	HON THOMAS D. WINGATE
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
GOLD, SHARON		KENTUCKY AUTHORITY FOR EDUCATIONAL TELEVISION
IACCARINO, CARMINE		
PATTERSON, DEBORAH		
WILLIAMSON, SEAN		
<hr/>		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
CORNETTE, ROBIN		ESTATE OF PATRICK WISE
SIPEK, MARK		SIPEK, MARK
BILBY, LESLEY		STEPHENS, THOMAS
HOLBROOK, ROSEMARY		

**** NOTE:**

10:45 AM PJ: CLAYTON, HON. DENISE G. NICKELL, HON. C. SHEA THOMPSON, HON. LARRY E.
2018CA001574 DOVONTIA REED v COMMONWEALTH OF KENTUCKY

Appeal from denial of suppression motion; is a warrant necessary to obtain real-time cell site location information (CSLI).

CRIMINAL	WOODFORD COUNTY	HON JEREMY MICHAEL MATTOX
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
JEWELL, BRANDON		REED, DOVONTIA
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
LUCAS, EMILY		COMMONWEALTH OF KENTUCKY

**** NOTE:**