

# March 2026

## Oral Argument Calendar

# Motion Panel

Judge Annette C. Karem, Presiding Judge

Judge Jacqueline M. Caldwell and  
Judge Allison E. Jones,  
Associate Judges

Wednesday, March 18, 2026

Location: TRANSYLVANIA UNIVERSITY, CARRICK AUDITORIUM, 300 N.  
BROADWAY, LEXINGTON, KY

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**11:00AM MARVIN MAYS v. COMMONWEALTH OF KENTUCKY  
(EST)**

[2025-CA-0377](#)

**Presiding Judge: HON. WILLIAM P. MOYNAHAN**

**Associate Judges: HON. ALLISON E. JONES and HON. ANNETTE C. KAREM**

In this criminal matter, the Court will examine whether a defendant's motion for shock probation absent an expressly-made knowing and voluntary waiver of the five-year statutory cap on probationary periods, in and of itself, automatically revokes the original probation period and begins a new probationary period subject to the five-year maximum.

**JEFFERSON County, HON. JENNIFER WILCOX**

Attorney for Appellant: Jennifer Elizabeth Hubbard

Attorney for Appellee: James Daryl Havey

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Tuesday, March 24, 2026

Location: SHELBY COUNTY JUDICIAL CENTER, COURTROOM C, 401 MAIN STREET, SUITE 101, SHELBYVILLE, KY

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~~10:30AM JAMES IVY v. ONTRAC, INC., D/B/A BLITZ BUILDERS, INC.~~

~~(EST) AND~~

~~ONTRAC, INC. D/B/A BLITZ BUILDERS, INC v. JAMES IVY~~

~~AND~~

~~JAMES IVY v. ONTRAC, INC., D/B/A BLITZ BUILDERS, INC.~~

~~[2024 CA 1275](#), [2024 CA 1344](#), [2025 CA 0429](#) ——— ORAL ARGUMENT CANCELLED~~

~~Presiding Judge: HON. AUDRA J. ECKERLE~~

~~Associate Judges: HON. SARA W. COMBS and HON. LARRY E. THOMPSON~~

~~Arising from a breach of contract dispute concerning the construction of a pole barn, this appeal and cross-appeal challenge the Shelby Circuit Court's order awarding Appellee/Cross-Appellant ("Builder") a reduced amount of its requested attorneys' fees and denying Appellant/Cross-Appellee ("Owner") entitlement to his attorneys' fees. Owner's appeal raises the following issues: (1) the applicability of the unilateral attorneys' fees provision contained within the parties' building contract; (2) whether said provision is unenforceable as unconscionable or in contravention of public policy; and (3) whether Owner is entitled to recover attorneys' fees as a matter of equity. Builder's cross-appeal challenges the amount of fees the Shelby Circuit Court awarded. Builder's cross-appeal raises the following issues: (1) whether Builder is entitled to the full amount of its reasonable attorneys' fees in defense of Owner's lawsuit pursuant to the building contract or KRS 411.195; and (2) whether Builder provided the Shelby Circuit Court with sufficient evidence supporting the reasonableness of its requested attorneys' fees.~~

~~SHELBY County, HON. MELANIE BRUMMER~~

~~Attorney for Appellants: Cyrus Gilmore Dutton, III~~

~~Attorney for Appellees: Chad Richard Wadlington~~

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