

**UPDATED: 4/2/2015**

**MAY 2015**

**ORAL ARGUMENT**

**CALENDAR**

Report Updated On: 4/2/2015

Updated 04/02/2015

**MAY, 2015**

**May 12, 2015**

**10:00 A.M. (ET)- MOTION PANEL, JUDGE KELLY THOMPSON, PRESIDING JUDGE, JUDGE DEBRA LAMBERT, AND JUDGE IRV MAZE, ASSOCIATE JUDGES.**

**PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL ARGUMENTS SCHEDULED:**

**FRANKFORT (FRANKLIN CO.) – Contact Patricia Brauer- (502) 573-7920**

**HAWESVILLE (HANCOCK CO.) – Contact Noel Quinn – (270)927-8144**

**LEXINGTON (FAYETTE CO.) – Contact Dana Carter – (859) 246-2132**

**LOCATION: FAYETTE COUNTY CIRCUIT COURTROOM I, 4TH FLOOR, 120 N.  
LIMESTONE, LEXINGTON, KENTUCKY**

**DATE: Tuesday, May 12, 2015**

**01:00 PM PJ: LAMBERT, HON. DEBRA HEMBREE ACREE, HON. GLENN E. MAZE, HON. IRV**  
**2014CA000672 KEVIN KINCAID v CENTRAL BANK & TRUST CO.**

Whether court can apply KRS 386.820(1) to equitably deviate from terms of a trust to remove a trust advisory committee. Alternatively, whether a trust provision disqualified a trust committee member, which triggered a condition that terminated the advisory committee entirely.

<b>CIVIL</b>	<b>FAYETTE COUNTY</b>	<b>HON PAMELA R GOODWINE</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
WILSON, PHILIP		KINCAID, CIERRA
.....		.....
TALBOTT, JOHN III		KINCAID, KEVIN
.....		.....
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
CONE, CARL		CENTRAL BANK & TRUST CO.
.....		.....
HUNTER, BARRY		KINCAID, JOAN
ROGERS, BARTON		
SULLIVAN, PAUL		

**\*\* NOTE:\*\*PREVIOUSLY ON MAY 11, 2015 @ 1:00 PM**

**01:45 PM PJ: LAMBERT, HON. DEBRA HEMBREE ACREE, HON. GLENN E. MAZE, HON. IRV**  
**2014CA000712 PHILLIP PERKINS v COMMONWEALTH OF KENTUCKY, DEPARTMENT OF PARKS**

Appeal from the trial court's decision upholding the Board of Claims' grant of summary judgment, finding the Parks Department was not negligent, nor did they owe a duty of care where a driver died at a railroad crossing.

<b>CIVIL</b>	<b>FAYETTE COUNTY</b>	<b>HON ERNESTO M. SCORSONE</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
GARMER, WILLIAM		PERKINS, PHILLIP
PRATHER, JEROME		
.....		.....
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
POWERS, BOYCE		COMMONWEALTH OF KENTUCKY, DEPARTMENT OF PARKS
.....		.....

**\*\* NOTE:\*\*PREVIOUSLY ON MAY 11, 2015 @ 1:45 PM**

**LOCATION: FAYETTE COUNTY CIRCUIT COURTROOM I, 4TH FLOOR, 120 N.  
LIMESTONE, LEXINGTON, KENTUCKY**

**DATE: Tuesday, May 12, 2015**

02:30 PM PJ: MAZE, HON. IRV

ACREE, HON. GLENN E.

LAMBERT, HON. DEBRA HEMBREE

2014CA000501

**BRANDON LEE COLLINS v COMMONWEALTH OF KENTUCKY**

2014CA000621

Combined appeals of co-defendants convicted of drug-related charges. Whether the trial court erred in denying co-defendants' motions to suppress. Whether police had requisite level of suspicion to warrant a "protective sweep" of apartment where evidence was seized without a warrant. Whether officers were observed incriminating evidence from a lawful vantage point entitling them to seize it. Appellants request oral argument and the multitude of facts and issues make argument appropriate.

CRIMINAL

FAYETTE COUNTY

HON JAMES D ISHMAEL

Appellant Atty:

Appellant Name:

HORSMAN, LINDA

COLLINS, BRANDON

SCHMIDT, KATHLEEN

Appellee Atty:

Appellee Name:

HAVEY, JAMES

COMMONWEALTH OF KENTUCKY

**\*\* NOTE:\*\*PREVIOUSLY ON MAY 11, 2015 @ 2:30 PM**

**LOCATION: HANCOCK COUNTY JUDICIAL CENTER, 310 HAWESVILLE SCHOOL DRIVE, HAWESVILLE, KENTUCKY**

**DATE: Thursday, May 28, 2015**

01:00 PM PJ: TAYLOR, HON. JEFF S.

JONES, HON. ALLISON E.

THOMPSON, HON. KELLY

2014CA001050

JACQULYN G. HARRINGTON v ALEX ARGOTTE

Whether circuit court properly rendered a directed verdict dismissing medical malpractice claim.

CIVIL

MCCRACKEN COUNTY

HON CRAIG Z CLYMER

Appellant Atty:

Appellant Name:

BOSWELL, CLIFTON

HARRINGTON, JACQULYN

WIBLE, CHARLES

Appellee Atty:

Appellee Name:

SIGLER, JAMES

ARGOTTE, ALEX

\*\* NOTE: