

KENTUCKY COURT OF APPEALS

JANUARY 06, 2023 MINUTES

RELEASED: 10:00 A.M.

1. JOHN T. BELL v.
COMMONWEALTH OF KENTUCKY

[2020-CA-0180-MR](#)
[2020-CA-0923-MR](#)
NOT TO BE PUBLISHED

JEFFERSON

**OPINION AFFIRMING BY JUDGE
K. THOMPSON**

ACREE, J. (CONCURS) AND
DIXON, J. (CONCURS IN RESULT ONLY)

2. JULIE WERNER (FKA JULIE CROWE) v.
MICHAEL JAMES CROWE

[2020-CA-1507-MR](#)
NOT TO BE PUBLISHED

DAVIESS

**OPINION AFFIRMING BY JUDGE
K. THOMPSON**

ACREE, J. (CONCURS) AND
DIXON, J. (CONCURS)

3. DAKOTA MILLER v.
T & J LAND CO., LLC

[2020-CA-1570-MR](#)
NOT TO BE PUBLISHED

KNOX

**OPINION REVERSING AND REMANDING
BY JUDGE MCNEILL**

CALDWELL, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

4. BRADLEY WILLIAMS v.
COMMONWEALTH OF KENTUCKY

[2020-CA-1620-MR](#)
NOT TO BE PUBLISHED

HARDIN

**OPINION AFFIRMING IN PART, VACATING
IN PART, AND REMANDING BY JUDGE
MCNEILL**

CALDWELL, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

5. ESTATE OF TAYLOR COLE, BY CARLA MCDONOUGH, ADMINISTRATRIX, ET AL. [2021-CA-0190-MR](#) JEFFERSON
v. **NOT TO BE PUBLISHED**
TAYLOR BAREFOOT, ET AL.
- OPINION VACATING AND REMANDING BY JUDGE K. THOMPSON**
- COMBS, J. (CONCURS) AND LAMBERT, J. (CONCURS)
6. BRYAN FAIR, ET AL. v. [2021-CA-0392-MR](#) FAYETTE
SAINT JOSEPH HEALTH SYSTEM, INC., **NOT TO BE PUBLISHED**
ET AL.
- OPINION AFFIRMING BY JUDGE K. THOMPSON**
- JONES, J. (CONCURS) AND LAMBERT, J. (CONCURS)
7. ANDRE SHEPHARD v. [2021-CA-0489-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE K. THOMPSON**
- COMBS, J. (CONCURS) AND LAMBERT, J. (CONCURS)
8. RICHARD YATES v. [2021-CA-0645-MR](#) FULTON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**
- CALDWELL, J. (CONCURS) AND GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

9. WILLIAM DONALD CLARK v.
MARY MARGARET CLARK
(NOW OSBORNE) [2021-CA-0655-MR](#) NELSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
CALDWELL**
- GOODWINE, J. (CONCURS) AND
JONES, J. (CONCURS)
10. DARRIN WALKER v.
COMMONWEALTH OF KENTUCKY [2021-CA-0755-MR](#) KENTON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- THOMPSON, C.J. (CONCURS) AND
TAYLOR, J. (CONCURS IN RESULT ONLY)
11. ELIZABETH NAPIER, ET AL. v.
TED NACE [2021-CA-0883-MR](#) PERRY
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- CLAYTON, C.J. (CONCURS) AND
CALDWELL, J. (CONCURS)
12. JASON WOOD v.
MICHELLE ANN CRITZ, ET AL. [2021-CA-0902-MR](#) SIMPSON
TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- CLAYTON, C.J. (CONCURS) AND
CETRULO, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

13. UMAR GABRIEL GARCI YAH A/K/A OSCAR [2021-CA-1017-MR](#) DAVIESS
UMAR GONZALZ v. **NOT TO BE PUBLISHED**
COMMONWEALTH OF KENTUCKY
- OPINION AFFIRMING BY JUDGE
CETRULO**
- MCNEILL, J. (CONCURS) AND
JONES, J. (CONCURS IN RESULT ONLY)
14. SARA ELIZABETH KOTZBAUER v. [2021-CA-1053-MR](#) FAYETTE
BRADFORD RAYMOND SOHNLEIN **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- CLAYTON, C.J. (CONCURS) AND
CALDWELL, J. (CONCURS)
15. CRISTINA ARCE v. [2021-CA-1145-MR](#) HARDIN
JAVIER ARCE, MD [2021-CA-1181-MR](#)
NOT TO BE PUBLISHED
- OPINION AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING
BY JUDGE GOODWINE**
- THOMPSON, C.J. (CONCURS) AND
DIXON, J. (CONCURS)
16. DAVID LEE FINK v. [2021-CA-1229-MR](#) JEFFERSON
LOUISVILLE/JEFFERSON COUNTY **NOT TO BE PUBLISHED**
METRO GOVERNMENT, ET AL.
- OPINION AFFIRMING BY JUDGE
K. THOMPSON**
- CLAYTON, C.J. (CONCURS) AND
CETRULO, J. (CONCURS)

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RELEASED: 10:00 A.M.

17. MICHAEL GONTERMAN, ET AL. v. [2021-CA-1304-MR](#) HENRY
WOOSTER MOTOR WAYS, INC., ET AL. **TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING
BY CHIEF JUDGE THOMPSON**
- DIXON, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
18. SHELLY MATTINGLY v. [2021-CA-1353-MR](#) JEFFERSON
JEWISH HOSPITAL AND ST. MARY'S **NOT TO BE PUBLISHED**
HEALTHCARE, INC., D/B/A FRAZIER
REHAB, ET AL.
- OPINION AFFIRMING BY JUDGE MAZE**
- GOODWINE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS IN PART,
DISSENTS IN PART, AND FILES
SEPARATE OPINION)
19. EASTERN KENTUCKY UNIVERSITY v. [2021-CA-1362-MR](#) FRANKLIN
OHIO VALLEY CONFERENCE **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
CETRULO**
- ACREE, J. (CONCURS) AND
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

20. TAMMY RATLIFF, AS PERSONAL REPRESENTATIVE AND ADMINISTRATRIX OF THE ESTATE OF AMY RATLIFF, ET AL. [2021-CA-1410-MR](#) LETCHER
[2021-CA-1411-MR](#)
NOT TO BE PUBLISHED
- v.
KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY, ET AL.
AND
- TAMMY RATLIFF, AS PERSONAL REPRESENTATIVE AND ADMINISTRATRIX OF THE ESTATE OF AMY RATLIFF, ET AL.
v.
CODY SHELBY, ET AL.
- OPINION AFFIRMING BY JUDGE LAMBERT**
- MAZE, J. (CONCURS) AND TAYLOR, J. (CONCURS)
21. ALLISON BAILEY, ET AL. v. JESSICA MORRIS [2021-CA-1504-MR](#) ESTILL
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CETRULO**
- MCNEILL, J. (CONCURS) AND JONES, J. (DISSENTS AND FILES SEPARATE OPINION)
22. JAMES HARRISON v. DENISE MONTALTA, ET AL. [2022-CA-0081-MR](#) LYON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**
- CALDWELL, J. (CONCURS) AND GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

23. HAROLD TURNER v.
COMMONWEALTH OF KENTUCKY [2022-CA-0087-MR](#) CARLISLE
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**
- CALDWELL, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
24. GEORGE ANTHONY SLAUGHTER, AS
FATHER AND NEXT FRIEND OF HIS
MINOR CHILD GEORGE ALBERT
SLAUGHTER, ET AL. v. [2022-CA-0100-MR](#) FAYETTE
NOT TO BE PUBLISHED
- KEITH A. SLAUGHTER, AS AN INDIVIDUAL
AND AS SUCCESSOR TRUSTEE OF THE
REVOCABLE TRUST AGREEMENT OF
GEORGE A. SLAUGHTER
- OPINION AFFIRMING BY JUDGE LAMBERT**
- MAZE, J. (CONCURS) AND
TAYLOR, J. (CONCURS)
25. LEILA SALISBURY, AS EXECUTRIX OF
THE ESTATE OF HOLLY BUCKNER
SALISBURY v. [2022-CA-0140-MR](#) FAYETTE
NOT TO BE PUBLISHED
- SCOTT ROTH, MD, ET AL.
- OPINION AFFIRMING BY JUDGE GOODWINE**
- CETRULO, J. (CONCURS) AND
COMBS, J. (CONCURS)
26. R.C. v. [2022-CA-0148-ME](#) HARDIN
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE CALDWELL**
- DIXON, J. (CONCURS) AND
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

27. ANTHONY CORNIST v. COMMONWEALTH OF KENTUCKY [2022-CA-0253-MR](#) KENTON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE CETRULO
JONES, J. (CONCURS) AND MCNEILL, J. (CONCURS)
28. COMMONWEALTH OF KENTUCKY v. AHMAD RASHAD DAVIS [2022-CA-0296-MR](#) FAYETTE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE K. THOMPSON
JONES, J. (CONCURS) AND LAMBERT, J. (DISSENTS AND DOES NOT FILE SEPARATE OPINION)
29. COMMONWEALTH OF KENTUCKY v. TYRIN CHRISTOPHER CURRINGTON [2022-CA-0716-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE GOODWINE
CETRULO, J. (CONCURS) AND COMBS, J. (CONCURS)

ORDERS DISMISSING

AARON SMITH v. KATRICA THOMPSON, ET AL. [2021-CA-0543-MR](#) SHELBY
Entered: DECEMBER 28, 2022

KELLI GWENDOLYN WRIGHT v. JEFFREY JAMES WRIGHT [2021-CA-1240-MR](#) FLEMING
Entered: DECEMBER 28, 2022

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

TINA BURCHETT v.
BRANDON BURCHETT

[2022-CA-0567-MR](#)

GREENUP

Entered: JANUARY 03, 2023

DOYLE LEE, AS EXECUTOR OF THE ESTATE
OF ALBERT LEE, JR. v.
REPUBLIC PARKING SYSTEMS, LLC, ET AL.

[2022-CA-0884-MR](#)

FAYETTE

Entered: JANUARY 03, 2023

SABRA L. MCCARTY v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0322-MR](#)

ROWAN

Entered: DECEMBER 22, 2022

GILANDRA RUSSELL v.
MIDLAND FUNDING, LLC

[2022-CA-0453-MR](#)

JEFFERSON

Entered: JANUARY 03, 2023

ROBERT R. WILCOX, JR. v.
NICOLE MCCLAIN

[2022-CA-0984-MR](#)

MARION

Entered: DECEMBER 21, 2022

JAMES PETE SHEPHERD v.
MAGOFFIN COUNTY BOARD OF ELECTIONS,
ET AL.

[2022-CA-1411-MR](#)

MAGOFFIN

Entered: DECEMBER 20, 2022

ORDERS DENYING PETITIONS FOR REHEARING

AARON H. COPASS v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0259-MR](#)

FAYETTE

Entered: JANUARY 03, 2023

KENTUCKY COURT OF APPEALS

JANUARY 06, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR REHEARING

LOUISVILLE/JEFFERSON COUNTY METRO
GOVERNMENT v.
MARK HANDY

[2021-CA-0664-MR](#)

JEFFERSON

Entered: DECEMBER 27, 2022

COURIER JOURNAL, INC. v.
SHIVELY POLICE DEPARTMENT

[2021-CA-1120-MR](#)

JEFFERSON

Entered: DECEMBER 20, 2022

ORDER DENYING PETITION FOR REHEARING AND MODIFYING OPINION

JONATHAN HAWK v.
MS COMPANIES, ET AL.

[2022-CA-0032-WC](#)

WORKERS'
COMPENSATION
BOARD

Entered: DECEMBER 27, 2022

ORDER DENYING MOTION TO SET ASIDE

JAMES PETE SHEPHERD v.
MAGOFFIN COUNTY BOARD OF ELECTIONS,
ET AL.

[2022-CA-1418-EL](#)

MAGOFFIN

Entered: DECEMBER 20, 2022

ORDER DENYING MOTION TO RECONSIDER

GARY DEWAYNE EDWARDS v.
GLORIA EDWARDS

[2022-CA-1136-ME](#)

ROCKCASTLE

Entered: DECEMBER 28, 2022