

**KENTUCKY COURT OF APPEALS**

**JANUARY 08, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

1. VAN MOONEY, JR. v.  
COMMONWEALTH OF KENTUCKY

[2019-CA-0798-MR](#)  
**NOT TO BE PUBLISHED**

HOPKINS

**OPINION AFFIRMING BY JUDGE  
DIXON**

COMBS, J. (CONCURS) AND  
MAZE, J. (CONCURS)
  
2. WISE TECHNICAL MANUFACTURING,  
LLC v.  
TREE CARE, INC.

[2019-CA-0941-MR](#)  
**NOT TO BE PUBLISHED**

JEFFERSON

**OPINION AFFIRMING BY JUDGE  
CALDWELL**

MAZE, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
  
3. JAMES D. SERAPHINE, AS  
EXECUTOR FOR THE ESTATE OF  
JAMES G. SERAPHINE, ET AL. v.  
BULLITT VENTURES, INC.,  
D/B/A SHONEY'S RESTAURANTS OF  
KENTUCKY, ET AL.

[2019-CA-1040-MR](#)  
**NOT TO BE PUBLISHED**

JEFFERSON

**OPINION AFFIRMING BY JUDGE  
JONES**

COMBS, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
  
4. TERRY FRAZIER v.  
DEPARTMENT OF CORRECTIONS,  
ET AL.

[2019-CA-1195-MR](#)  
**NOT TO BE PUBLISHED**

UNION

**OPINION AFFIRMING BY JUDGE  
KRAMER**

CLAYTON, C.J. (CONCURS) AND  
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 08, 2021 MINUTES

RELEASED: 10:00 A.M.

5. CLARK COUNTY ATTORNEY v. [2019-CA-1349-MR](#) CLARK  
TRAVIS THOMPSON, ET AL. **TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
K. THOMPSON**
- MAZE, J. (CONCURS IN RESULT) AND  
L. THOMPSON, J. (CONCURS)
6. STEVEN LOGAN v. [2019-CA-1402-MR](#) FAYETTE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
JONES**
- CLAYTON, C.J. (CONCURS) AND  
DIXON, J. (CONCURS)
7. ANTHONY DAVIDSON v. [2019-CA-1640-MR](#) FRANKLIN  
JONATHAN GRATE **NOT TO BE PUBLISHED**
- OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND  
REMANDING BY JUDGE TAYLOR**
- LAMBERT, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
8. JAMES HARRISON v. [2019-CA-1664-MR](#) FRANKLIN  
CATHERINE WEICHT, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
MAZE**
- CALDWELL, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**JANUARY 08, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

9. ERIC JASON WILSON v. [2019-CA-1710-ME](#) JEFFERSON  
KATHRYN WILSON [2019-CA-1829-MR](#)  
**NOT TO BE PUBLISHED**

**OPINION AFFIRMING BY CHIEF  
JUDGE CLAYTON**

COMBS, J. (CONCURS) AND  
JONES, J. (CONCURS)

10. COMMONWEALTH OF KENTUCKY v. [2019-CA-1809-MR](#) HENRY  
KRISTEN M. NORTON **TO BE PUBLISHED**

**OPINION AFFIRMING BY JUDGE  
MAZE**

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

11. COMMONWEALTH OF KENTUCKY, [2019-CA-1885-MR](#) CUMBERLAND  
ENERGY AND ENVIRONMENT **NOT TO BE PUBLISHED**  
CABINET, DIVISION OF OIL AND GAS  
v.  
BOBBY D. SEVERE

**OPINION REVERSING AND  
REMANDING BY JUDGE CALDWELL**

GOODWINE, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)

12. L. M. P. v. [2020-CA-0079-ME](#) JACKSON  
COMMONWEALTH OF KENTUCKY, [2020-CA-0080-ME](#)  
CABINET FOR HEALTH AND FAMILY [2020-CA-0106-ME](#)  
SERVICES; ET AL. [2020-CA-0107-ME](#)  
**NOT TO BE PUBLISHED**

**OPINION AFFIRMING BY JUDGE  
CALDWELL**

MAZE, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 08, 2021 MINUTES

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|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------|
| 13. | LADONNA MAY v.<br>BOARD OF TRUSTEES OF THE<br>KENTUCKY RETIREMENT SYSTEMS<br><br><b>OPINION AFFIRMING BY JUDGE<br/>DIXON</b><br><br>COMBS, J. (CONCURS) AND<br>TAYLOR, J. (CONCURS)      | <a href="#">2020-CA-0110-MR</a><br><b>TO BE PUBLISHED</b>         | FRANKLIN                          |
| 14. | LARRY ELKINS, ET AL. v.<br>WESTERN SHORES PROPERTY<br>OWNERS ASSOCIATION, INC.<br><br><b>OPINION AFFIRMING BY JUDGE<br/>DIXON</b><br><br>COMBS, J. (CONCURS) AND<br>TAYLOR, J. (CONCURS) | <a href="#">2020-CA-0228-MR</a><br><b>TO BE PUBLISHED</b>         | CALLOWAY                          |
| 15. | BRENDA MARKS v.<br>BAPTIST HEALTHCARE SYSTEM,<br>INC., ET AL.<br><br><b>OPINION AFFIRMING BY JUDGE<br/>TAYLOR</b><br><br>LAMBERT, J. (CONCURS) AND<br>MCNEILL, J. (CONCURS)              | <a href="#">2020-CA-0251-WC</a><br><b>NOT TO BE<br/>PUBLISHED</b> | WORKERS'<br>COMPENSATION<br>BOARD |
| 16. | JOHNATHAN JONES v.<br>GLYNIS MARIA JONES<br><br><b>OPINION AFFIRMING BY JUDGE<br/>GOODWINE</b><br><br>CLAYTON, C.J. (CONCURS) AND<br>KRAMER, J. (CONCURS)                                | <a href="#">2020-CA-0265-ME</a><br><b>TO BE PUBLISHED</b>         | FAYETTE                           |

KENTUCKY COURT OF APPEALS

JANUARY 08, 2021 MINUTES

RELEASED: 10:00 A.M.

17. S. S. v. [2020-CA-0281-ME](#) MCCRACKEN  
S. K., ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING BY JUDGE  
L. THOMPSON**
- LAMBERT, J. (CONCURS) AND  
MAZE, J. (CONCURS)
18. C. W. v. [2020-CA-0369-ME](#) WARREN  
C. D. B. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND  
REMANDING BY JUDGE ACREE**
- DIXON, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
19. COMMONWEALTH OF KENTUCKY v. [2020-CA-0441-MR](#) ROWAN  
JESSICA SKAGGS **NOT TO BE PUBLISHED**
- OPINION VACATING AND  
REMANDING BY JUDGE KRAMER**
- CLAYTON, C.J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
20. J. C. M. v. [2020-CA-0572-ME](#) OLDDHAM  
CABINET FOR HEALTH AND FAMILY [2020-CA-0573-ME](#)  
SERVICES, COMMONWEALTH OF **NOT TO BE PUBLISHED**  
KENTUCKY; ET AL.
- OPINION AFFIRMING BY JUDGE  
DIXON**
- ACREE, J. (CONCURS) AND  
K. THOMPSON, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**JANUARY 08, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

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| 21. FORD MOTOR COMPANY v.<br>LARRY BROWN, ET AL. | <a href="#"><u>2020-CA-0622-WC</u></a><br><b>NOT TO BE<br/>PUBLISHED</b> | WORKERS'<br>COMPENSATION<br>BOARD |
|--------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------|

**OPINION AFFIRMING BY JUDGE  
MAZE**

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

- |                                                     |                                                                          |                                   |
|-----------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------|
| 22. CEDAR LAKE PARK PLACE v.<br>PENNY BERRY, ET AL. | <a href="#"><u>2020-CA-0731-WC</u></a><br><b>NOT TO BE<br/>PUBLISHED</b> | WORKERS'<br>COMPENSATION<br>BOARD |
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**OPINION AFFIRMING BY JUDGE  
DIXON**

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

- |                                    |                                                                      |        |
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| 23. JASON MCCOY v.<br>DANIEL SMITH | <a href="#"><u>2020-CA-0761-ME</u></a><br><b>NOT TO BE PUBLISHED</b> | WARREN |
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**OPINION REMANDING BY JUDGE  
DIXON**

ACREE, J. (DISSENTS AND FILES  
SEPARATE OPINION) AND  
CALDWELL, J. (CONCURS)

- |                                       |                                                                          |                                   |
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| 24. MENARD'S v.<br>GARY SCOTT, ET AL. | <a href="#"><u>2020-CA-1008-WC</u></a><br><b>NOT TO BE<br/>PUBLISHED</b> | WORKERS'<br>COMPENSATION<br>BOARD |
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**OPINION AFFIRMING BY JUDGE  
COMBS**

LAMBERT, J. (CONCURS) AND  
K. THOMPSON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 08, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

JEFFREY NOBLE v.  
DONNIE BUSH, IN HIS OFFICIAL CAPACITY AS  
A MEMBER OF THE BREATHITT FISCAL  
COURT, ET AL.

[2019-CA-1164-MR](#)

BREATHITT

**Entered: DECEMBER 21, 2020**

GENERAL STAR INDEMNITY COMPANY v.  
KRISSEY MCKENZIE WITHROW CO-  
ADMINISTRATOR OF THE ESTATE OF  
KENNETH MCKENZIE, ET AL.

[2019-CA-1296-MR](#)

BATH

**Entered: DECEMBER 29, 2020**

BILLY RASDALL v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0665-ME](#)

WARREN

**Entered: JANUARY 05, 2021**

MELISA HICKS v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-1207-ME](#)

BOYLE

**Entered: JANUARY 05, 2021**

HARRY ARTHUR SMALLEY, JR. v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-1443-ME](#)

PULASKI

**Entered: JANUARY 05, 2021**

JONATHAN M. WARAWA v.  
MICHELYNN D. WARAWA

[2020-CA-1129-MR](#)

SHELBY

**Entered: DECEMBER 29, 2020**

MATTHEW KEITH GIBSON v.  
BRITTANY KAY GIBSON, ET AL.

[2020-CA-1179-MR](#)

GRAYSON

**Entered: DECEMBER 29, 2020**

KENTUCKY COURT OF APPEALS

JANUARY 08, 2021 MINUTES

RELEASED: 10:00 A.M.

MARY MADDOX v.  
MARVIN MADDOX

[2020-CA-1256-MR](#)

JEFFERSON

Entered: DECEMBER 29, 2020

TODD A. DREXEL v.  
SELENA C. DREXEL (N.K.A. MUNN)

[2020-CA-1258-MR](#)

WARREN

Entered: DECEMBER 29, 2020

**ORDERS DENYING PETITIONS FOR REHEARING**

BUCKHORN RESOURCES, LLC v.  
COMBS HEIRS, LLC, ET AL.

[2018-CA-1073-MR](#)

LESLIE

Entered: DECEMBER 30, 2020

SHARIECIA HAMILTON v.  
NORTON HEALTHCARE, INC.

[2019-CA-0885-MR](#)

JEFFERSON

Entered: DECEMBER 21, 2020

LISA HOGG v.  
DOROTHY ANN HOGG, ET AL.

[2019-CA-1621-MR](#)

LETCHER

Entered: JANUARY 04, 2021

**ORDER DENYING MOTION TO RECONSIDER**

GEOFFREY M. YOUNG v.  
GARLAND ANDY BARR

[2020-CA-0886-EL](#)

FAYETTE

Entered: DECEMBER 29, 2020



**KENTUCKY COURT OF APPEALS**

**JANUARY 08, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

**ORDER DENYING PETITION FOR WRIT OF MANDAMUS**

DAVID RANDOLPH BEDELL v.  
HON CHARLES L. CUNNINGHAM, JEFFERSON  
CIRCUIT COURT JUDGE, ET AL.

[2020-CA-0403-OA](#)

JEFFERSON

**Entered: JANUARY 05, 2021**

**ORDERS DENYING DISCRETIONARY REVIEW**

VALERIE GYUKERY v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0787-D](#)

MEADE

**Entered: JANUARY 05, 2021**