

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 1 of 11

502	GAY (JAMES V.), ET AL. VS. DAVIS (JOYCE), ET AL. OPINION AFFIRMING IN PART AND REVERSING IN PART TAYLOR (PRESIDING JUDGE) CLAYTON (CONCURS) AND KNOPF (CONCURS)	2004-CA-002613-MR 2005-CA-001312-MR 2005-CA-002442-MR 2005-CA-002500-MR NOT TO BE PUBLISHED	MONTGOMERY
503	O. (S. D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING WINE (PRESIDING JUDGE) KELLER (CONCURS) AND THOMPSON (CONCURS)	2006-CA-001647-DG TO BE PUBLISHED	ADAIR
504	HOLBROOK (GLEN) VS. HOLBROOK (EARL R.), ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) LAMBERT (CONCURS) AND ROSENBLUM (CONCURS)	2006-CA-002105-MR NOT TO BE PUBLISHED	MORGAN
505	MASON, D.M.D (JOHN) VS. UNDERHILL (JEFF), ET AL. OPINION AFFIRMING IN PART AND REVERSING AND REMANDING IN PART VANMETER (PRESIDING JUDGE) LAMBERT (CONCURS) AND KNOPF (CONCURS)	2006-CA-002144-MR NOT TO BE PUBLISHED	JEFFERSON
506	HARRIS (CARLOS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) ACREE (CONCURS) AND NICKELL (CONCURS)	2006-CA-002284-MR NOT TO BE PUBLISHED	KENTON
507	TOWERY (DAVID) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) ACREE (CONCURS) AND WINE (CONCURS)	2006-CA-002335-MR NOT TO BE PUBLISHED	GRAVES

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 2 of 11

508	SANANIKONE (OUTH) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) MOORE (CONCURS) AND WINE (CONCURS)	2006-CA-002572-MR NOT TO BE PUBLISHED	WARREN
509	UPCHURCH (CARLOS G.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) TAYLOR (CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-002596-MR NOT TO BE PUBLISHED	WAYNE
510	J. H. , ET AL. VS. COMMONWEALTH OF KENTUCKY , ET AL. OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) KELLER (CONCURS) AND MOORE (CONCURS)	2006-CA-002620-ME NOT TO BE PUBLISHED	JEFFERSON
511	CRISWELL (MARY) VS. CRISWELL (RICHARD S.) OPINION REVERSING AND REMANDING ACREE (PRESIDING JUDGE) STUMBO (CONCURS) AND GRAVES (CONCURS)	2007-CA-000023-MR 2007-CA-000352-MR NOT TO BE PUBLISHED	PULASKI
512	D. (C. J.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING WINE (PRESIDING JUDGE) MOORE (CONCURS) AND WINE (CONCURS)	2007-CA-000129-DG NOT TO BE PUBLISHED	MARSHALL
513	MIFFLIN (LAURA) VS. MIFFLIN (CINDY), ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) MOORE (CONCURS) AND WINE (CONCURS)	2007-CA-000165-MR NOT TO BE PUBLISHED	LIVINGSTON

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 3 of 11

514	JACOBS PLAZA, INC. VS. HOLLAND-DAVID ENTERPRISES, INC. , ET AL. OPINION REVERSING AND REMANDING CLAYTON (PRESIDING JUDGE) KELLER (CONCURS) AND MOORE (CONCURS)	2007-CA-000357-MR 2007-CA-000360-MR NOT TO BE PUBLISHED	JEFFERSON
515	VASQUEZ (JOSE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART AND VACATING AND REMANDING IN PART ACREE (PRESIDING JUDGE) VANMETER (CONCURS) AND WINE (CONCURS)	2007-CA-000373-MR NOT TO BE PUBLISHED	MCCRACKEN
516	WOOLUM, M.D. (JERRY L.), ET AL. VS. HILLMAN (LISA ANN), ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING STUMBO (PRESIDING JUDGE) ACREE (CONCURS) AND GRAVES (DISSENTS AND FILES SEPARATE OPINION)	2007-CA-000376-MR 2007-CA-000499-MR TO BE PUBLISHED	BELL
517	ACHTAR (MOUJAHED) VS. TOYOTA MOTOR CORPORATION OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) LAMBERT (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-000447-MR NOT TO BE PUBLISHED	PERRY
518	M. (J.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING GRAVES (PRESIDING JUDGE) CLAYTON (CONCURS) AND STUMBO (CONCURS)	2007-CA-000622-DGE NOT TO BE PUBLISHED	JESSAMINE
519	DEYOUNG (JESSICA N.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING STUMBO (PRESIDING JUDGE) CLAYTON (CONCURS) AND GRAVES (CONCURS)	2007-CA-000635-MR NOT TO BE PUBLISHED	MCLEAN

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 4 of 11

520	GRIFFITH (DOROTHY), ET AL. VS. THE VISION INSURANCE GROUP, LLC , ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) TAYLOR (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-000672-MR NOT TO BE PUBLISHED	CARTER
521	COMMONWEALTH OF KENTUCKY VS. COPPER CARE, INC. OPINION REVERSING THOMPSON (PRESIDING JUDGE) CAPERTON (CONCURS) AND LAMBERT (CONCURS)	2007-CA-000676-MR TO BE PUBLISHED	MADISON
522	JONES (JANET H.) VS. SCHNEIDERS (GLEN), ET AL. OPINION AFFIRMING ACREE (PRESIDING JUDGE) NICKELL (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-000787-MR NOT TO BE PUBLISHED	FAYETTE
523	SNOW (JOHN WESLEY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING GRAVES (PRESIDING JUDGE) KELLER (CONCURS) AND THOMPSON (CONCURS)	2007-CA-000835-MR NOT TO BE PUBLISHED	BOONE
524	STITH (BARBARA G.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) ACREE (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-000845-MR NOT TO BE PUBLISHED	BOONE
525	HIGGINS (DAWN M.) VS. ABELL (CHRISTOPHER RYAN) OPINION AFFIRMING GRAVES (PRESIDING JUDGE) KELLER (CONCURS) AND THOMPSON (CONCURS)	2007-CA-000854-ME 2007-CA-000939-MR NOT TO BE PUBLISHED	JESSAMINE

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 5 of 11

526	GEORGE (JIMMY AND COLENE) VS. EVANS (FLOYD); EVANS (SARA) WRIGHT (RONDAL); WRIGHT (SHARON); POTTINGER (CHARLES); AND POTTINGER (LORENE)	2007-CA-000898-MR	HART
527	DODSON (JOHN) VS. BOARD OF TRUSTEES OPINION AFFIRMING KELLER (PRESIDING JUDGE) CAPERTON (CONCURS) AND WINE (CONCURS)	2007-CA-001025-MR NOT TO BE PUBLISHED	FRANKLIN
528	FISCHER (FREDERICK GRANTON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) KELLER (CONCURS) AND VANMETER (CONCURS)	2007-CA-001047-MR NOT TO BE PUBLISHED	JEFFERSON
529	FRANCIS (DONNA) VS. US BANK NATIONAL ASSOCIATION OPINION AFFIRMING CAPERTON (PRESIDING JUDGE) KELLER (CONCURS) AND WINE (CONCURS)	2007-CA-001064-MR NOT TO BE PUBLISHED	HENRY
530	HUGHES (ROBERT) VS. KENTUCKY DEPARTMENT OF CORRECTIONS OPINION AFFIRMING COMBS (PRESIDING JUDGE) ACREE (CONCURS) AND THOMPSON (CONCURS)	2007-CA-001068-MR NOT TO BE PUBLISHED	MUHLENBERG
531	CHURCHILL DOWNS, INC. VS. YEAKEL (TINA M.), ET AL. OPINION AFFIRMING HENRY (PRESIDING JUDGE) KELLER (CONCURS) AND TAYLOR (CONCURS)	2007-CA-001228-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 6 of 11

532	WILSON (KELLY W.) VS. WILSON (SHARON L.) OPINION AFFIRMING IN PART AND REVERSING AND REMANDING IN PART MOORE (PRESIDING JUDGE) WINE (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-001299-MR NOT TO BE PUBLISHED	MEADE
533	KENTUCKY RIVER MEDICAL CENTER , ET AL. VS. MCINTOSH (IRENE) OPINION AFFIRMING BUCKINHAM (PRESIDING JUDGE) LAMBERT (CONCURS) AND TAYLOR (DISSENTS AND FILES SEPARATE OPINION)	2007-CA-001310-MR NOT TO BE PUBLISHED	BREATHITT
534	WHALEY (MICHAEL D.), ET AL. VS. WHITAKER BANK, INC. OPINION VACATING AND REMANDING WINE (PRESIDING JUDGE) ACREE (CONCURS) AND KNOFF (CONCURS)	2007-CA-001451-MR TO BE PUBLISHED	SCOTT
535	BANKS (ENOS AND JOYCE) VS COMBS (JUDY), COMBS (DONNIE), BANKS (JOHNNY), AND BANKS (EMILY) OPINION AND ORDER DISMISSING GRAVES (PRESIDING JUDGE) CLAYTON (CONCURS) AND ACREE (CONCURS)	2007-CA-001657-MR NOT TO BE PUBLISHED	FLOYD
536	KNIGHT (DELORES MARIE) VS. YOUNG (LINDA) OPINION AFFIRMING COMBS (PRESIDING JUDGE) ACREE (CONCURS) AND THOMPSON (CONCURS)	2007-CA-001850-ME NOT TO BE PUBLISHED	LYON
537	BLAU MECHANICAL, INC. VS. BREFELD (MARTIN R.), ET AL. OPINION REVERSING NICKELL (PRESIDING JUDGE) ACREE (CONCURS) AND BUCKINGHAM (CONCURS)	2007-CA-002056-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 8 of 11

KARLA NUNLEY

2007-CA-000098-ME

JEFFERSON

VS.

TIM NUNLEY

ENTERED: 04/30/2008

EARL LEE JONES

2007-CA-000404-MR

FAYETTE

VS.

KATHY WITT, INDIVIDUALLY AND IN HER
OFFICIAL CAPACITY AS FAYETTE COUNTY
SHERIFF; BRIAN FIELDS, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS DEPUTY
FAYETTE COUNTY SHERIFF; AND JOHN
REYNOLDS, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS DEPUTY FAYETTE
COUNTY SHERIFF

ENTERED: 04/28/2008

ORDER DISMISSING:

AUTO ACCEPTANCE CORPORATION,
D/B/A J.D. BYRIDER

2007-CA-002206-MR

JEFFERSON

VS.

EDIN LIZDO, KENTUCKY FARM BUREAU
INSURANCE COMPANY, ET AL.

ENTERED: 04/28/2008

JAMES W. MAYO, JR.

2008-CA-000353-MR

CALDWELL

VS.

MELODY KATHERINE VAUGHN

ENTERED:04/28/2008

ORDER DENYING RELIEF UNDER CR 65.07 FROM PREVIOUS WEEK ENDING 04/25/2008:

WAYNE SMITH, BARBARA SMITH,
AND WASTE TRANSPORT SERVICE, LLC

2008-CA-000343-I

HARDIN

VS.

HARDIN COUNTY FISCAL COURT AND
HARDIN COUNTY PLANNING AND
DEVELOPMENT COMMISSION

ENTERED: 04/24/2008

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 9 of 11

ORDERS DISMISSING FROM PREVIOUS WEEK ENDING 04/24/2008:

JERRY B. BROWN AND
DORIS BROWN

2004-CA-001337-MR

JEFFERSON

VS.
KIEL BROTHERS OIL COMPANY,
INC.
ENTERED: 04/24/2008

TONY VANCIL
VS.
CITY OF PADUCAH
ENTERED: 04/25/2008

2007-CA-000716-MR
AND
2007-CA-000764-MR

MCCRACKEN

ROBERT LEE JAMES III
AND TERRI B. JAMES
VS.
LORIE HARPER, ADMINISTRATRIX
OF THE ESTATE OF CYNTHIA ANN
BASHAM; AND LORI HARPER,
INDIVIDUALLY
ENTERED: 04/25/2008

2007-CA-000778-MR

WARREN

ST. ANDREW'S ANGLICAN
CHURCH, INC.
VS.
RECTOR, WARDENS AND VESTRY
OF ST. JOHN'S CHURCH, CO-TRUSTEE
OF THE ELIZABETH FRANCES HUDSON
CHARITABLE REMAINDER UNITRUST
AGREEMENT; ET AL
AND
HANS HUDSON III
VS.
RECTOR, WARDENS AND VESTRY OF
ST. JOHNS CHURCH
ENTERED: 04/24/2008

2007-CA-000868-MR
AND
2007-CA-001461-MR

WOODFORD

JOHN W. SNOW
VS.
LINDA M. SNOW
ENTERED: 04/25/2008

2007-CA-000915-MR

HENDERSON

SHALONDA MEAUX
VS.
KENTUCKY UNEMPLOYMENT
INSURANCE COMMISSION
ENTERED: 04/24/2008

2007-CA-001121-MR

JEFFERSON

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 10 of 11

VILLASPRING HEALTHCARE CENTER, INC.
D/B/A VILLASPRING OF ERLANGER
HEALTH CARE CENTER & REHABILITATION
VS.
PAMELA WIGGINS
ENTERED: 04/24/2008

2007-CA-001621-MR

KENTON

ALLEN H. FINE, MARTIN L. FINE,
AND STEVEN R. FINE
VS.
CONTINENTAL CASUALTY COMPANY
AND INSURAMAX, INC.
ENTERED: 04/25/2008

2007-CA-001786-MR

JEFFERSON

JARED EDWARD DELAWSON AND
AMBER DELAWSON CARROLL
VS.
RALPH C. GRAY, INDIVIDUALLY;
AND RALPH C. GRAY, EXECUTOR
OF THE WOODROW W. GRAY
ESTATE
ENTERED: 04/25/2008

2007-CA-001811-MR

LYON

JOE L. RIGGINS
VS.
ELIZABETH M. KESSLER,
FORMERLY RIGGINS
ENTERED: 04/25/2008

2007-CA-002302-MR

BULLITT

MARCUS S. MINIX, SR.
VS.
MARY LYNN (SLONE) MINIX
AND
MARCUS S. MINIZ, SR.
VS.
MARY LYNN (SLONE) MINIX
ENTERED: 04/24/2008

2007-CA-002588-MR
AND
2008-CA-000192-MR

JOHNSON

COURT OF APPEALS OF KENTUCKY

05/02/2008 AT 10:00 A.M.

PAGE 11 of 11

ALLY CAT, LLC, D/B/A
KIDZLIFE PEDIATRICS;
AND DR. STEPHANIE
RUSSELL

2008-CA-000193-OA

JEFFERSON

VS.

HON. A.C. CHAUVIN, JUDGE,
JEFFERSON CIRCUIT COURT,
DIVISION EIGHT

N.C. LEGACY, LLC; LEGACY
HOMES; MARK ISAACS; AND
COUNCIL OF CO-OWNERS
OF NORTON COMMONS
LEGACY SENIOR RESIDENCIES
ENTERED: 04/24/2008

JAMES MORGAN MILBY

2008-CA-000159-MR

FAYETTE

VS.

ANGELA H. BUECHNER, TRUSTEE
OF THE ROBERT W. BUECHNER
FAMILY IRREVOCABLE TRUST, ET AL
ENTERED: 04/24/2008

BILL KAELIN AND
MARY KAELIN

2008-CA-000207-MR

MEADE

VS.

LAMAR SMITH
ENTERED: 04/24/2008

DANNY FRAMES

2008-CA-000251-MR

OHIO

VS.

COMMONWEALTH OF KENTUCKY
ENTERED: 04/24/2008

PAUL A. SIMS, ET AL

2008-CA-000275-MR

NELSON

VS.

OHIO CASUALTY INSURANCE
COMPANY, ET AL
ENTERED: 04/24/2008

FRANKLIN HALL, LILLIE HALL,
TERESA ISON, PHILLIP ISON AND
FRANKLIN CLEVELAND HALL JR.

2008-CA-000282-I

POWELL

VS.

ANGELA ROBERTS
ENTERED: 04/24/2008