

KENTUCKY COURT OF APPEALS

MAY 10, 2024 MINUTES

RELEASED: 10:00 A.M.

302. KENTUCKY STATE POLICE/Commonwealth of Kentucky v. SGT. KEVIN BURTON, ET AL. [2022-CA-1028-MR](#) [2022-CA-1108-MR](#) FRANKLIN
TO BE PUBLISHED

OPINION AND ORDER REVERSING AND REMANDING AND DISMISSING CROSS-APPEAL BY JUDGE CALDWELL

CETRULO, J. (CONCURS) AND A. JONES, J. (CONCURS)

303. MILLERS LANE CENTER, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, ET AL. v. MORGAN & POTTINGER, P.S.C., ET AL. [2022-CA-1341-MR](#) [2022-CA-1368-MR](#) [2022-CA-1398-MR](#) [2022-CA-1399-MR](#) [2022-CA-1400-MR](#) [2022-CA-1402-MR](#) JEFFERSON
AND
JAMES P. MCCROCKLIN, ET AL. v. MILLERS LANE CENTER, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, ET AL. **TO BE PUBLISHED**

AND
MARK BREWER v. MORGAN & POTTINGER, P.S.C., ET AL.

OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE EASTON

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

KENTUCKY COURT OF APPEALS

MAY 10, 2024 MINUTES

RELEASED: 10:00 A.M.

304. LASHAWN ROBERTS v. [2022-CA-1447-MR](#) JEFFERSON
LOUISVILLE & JEFFERSON COUNTY **NOT TO BE PUBLISHED**
METROPOLITAN SEWER DISTRICT
**OPINION AFFIRMING BY JUDGE
LAMBERT**
CALDWELL, J. (CONCURS) AND
ACREE, J. (CONCURS IN RESULT
ONLY)
305. THINH NGUYEN v. [2023-CA-0162-MR](#) JEFFERSON
TUE TRAN, ET AL. **NOT TO BE PUBLISHED**
**OPINION AFFIRMING BY JUDGE
ACREE**
COMBS, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
306. ANTHONY ARNOLD v. [2023-CA-0298-MR](#) GALLATIN
COMMONWEALTH OF KENTUCKY [2023-CA-0382-MR](#)
NOT TO BE PUBLISHED
**OPINION AND ORDER AFFIRMING AS
TO NO. 2023-CA-0298-MR AND
DISMISSING AS TO NO.
2023-CA-0382-MR BY JUDGE
A. JONES**
THOMPSON, C.J. (CONCURS) AND
LAMBERT, J. (CONCURS)
307. HOWARD GROSS v. [2023-CA-0317-MR](#) CASEY
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**OPINION AFFIRMING BY JUDGE
ECKERLE**
THOMPSON, C.J. (CONCURS) AND
KAREM, J. (CONCURS)

KENTUCKY COURT OF APPEALS

MAY 10, 2024 MINUTES

RELEASED: 10:00 A.M.

308. TERRELL HARRIS v. [2023-CA-0431-MR](#) KENTON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- COMBS, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
309. CITY OF COVINGTON, KENTUCKY v. [2023-CA-0533-MR](#) KENTON
COVINGTON BOARD OF **NOT TO BE PUBLISHED**
ARCHITECTURAL REVIEW AND
DEVELOPMENT, ET AL.
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- COMBS, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
310. SHAWNTELE JACKSON v. [2023-CA-0552-MR](#) FRANKLIN
JESSIE FERGUSON, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
KAREM**
- ECKERLE, J. (CONCURS) AND
A. JONES, J. (CONCURS)
311. ROBERT SHADWICK v. [2023-CA-0556-MR](#) OHIO
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
A. JONES**
- CETRULO, J. (CONCURS) AND
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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312. LARRY ORDWAY v. [2023-CA-0567-MR](#) CHRISTIAN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- COMBS, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
313. THOMAS BROWN v. [2023-CA-0576-MR](#) JEFFERSON
BRIAN FUNK **TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
LAMBERT**
- COMBS, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
314. RBRC, INC. D/B/A RIVER'S BEND [2023-CA-0600-MR](#) LYON
RETIREMENT COMMUNITY, ET AL. v. **NOT TO BE PUBLISHED**
DAVID MASSAMORE, AS EXECUTOR
OF THE ESTATE OF JEAN
MASSAMORE
- OPINION AFFIRMING BY JUDGE
CETRULO**
- GOODWINE, J. (CONCURS) AND
A. JONES, J. (CONCURS)
315. DANIEL DEAN v. [2023-CA-0659-MR](#) GRAYSON
PATRICK CARBY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
KAREM**
- CALDWELL, J. (CONCURS) AND
A. JONES, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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316. CRISTINA ARCE v. [2023-CA-0715-MR](#) HARDIN
JAVIER ARCE, MD **NOT TO BE PUBLISHED**

**OPINION AFFIRMING BY CHIEF
JUDGE THOMPSON**

A. JONES, J. (CONCURS) AND
LAMBERT, J. (CONCURS)

317. NANCY IDDINGS v. [2023-CA-0920-MR](#) BOYD
A CLASSIC TOUCH **NOT TO BE PUBLISHED**

**OPINION AFFIRMING BY JUDGE
A. JONES**

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

318. P.L.B. v. [2023-CA-1344-ME](#) FRANKLIN
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.

**OPINION AFFIRMING BY JUDGE
ECKERLE**

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

ORDER DENYING PETITION FOR REHEARING AND MODIFYING OPINION

JOHN PITT, ET AL. v. [2023-CA-0704-MR](#) SIMPSON
PUBLIC SERVICE COMMISSION OF
KENTUCKY, ET AL.

Entered: MAY 10, 2024

ORDERS DISMISSING

LAWRENCE TODD SADLER, ET AL. v. [2022-CA-0827-MR](#) TAYLOR
BCMB1 TRUST

Entered: MAY 07, 2024

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

DR. GREGORY NUNNALLY, ET AL. v.
LAURA ROSS, ET AL.

[2022-CA-1017-ME](#)

JEFFERSON

Entered: MAY 07, 2024

ROY WYATT v.
KEVIN BAILEY

[2022-CA-1529-MR](#)

SPENCER

Entered: MAY 08, 2024

EILEEN HORNBACK, ET AL. v.
WRUBEL HOME INSPECTIONS, LLC

[2023-CA-0966-MR](#)

JEFFERSON

Entered: MAY 07, 2024

SHERWOOD LAKES, LLC v.
SHERWOOD LAKES COUNCIL OF CO-OWNERS
HOMEOWNERS' ASSOCIATION, INC., ET AL.

[2023-CA-1099-MR](#)

BOONE

Entered: MAY 07, 2024

DAVON BURKE #162305 v.
QUALITY MANAGEMENT OF KENTUCKY, INC.
D/B/A QUALITY CORRECTIONS HEALTHCARE,
ET AL.

[2023-CA-1485-MR](#)

KENTON

Entered: MAY 08, 2024

LOUIS COOK, ET AL. v.
QUINTIN WEBSTER

[2024-CA-0124-MR](#)

JEFFERSON

Entered: MAY 08, 2024

SURINDER P. SINGH, ET AL. v.
NEW DAWA, LLC, ET AL.

[2024-CA-0181-MR](#)

JEFFERSON

Entered: MAY 08, 2024

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ORDERS DISMISSING

EVANGELINE NEWTON v.
BYRON NEWTON

[2024-CA-0164-MR](#)

JEFFERSON

Entered: MAY 06, 2024

THE ESTATE OF ROXANNE NORDIKE, ET AL. v.
DR. TIM A. WIERSON

[2023-CA-0934-MR](#)

WARREN

Entered: MAY 08, 2024

ORDERS DENYING PETITIONS FOR REHEARING

JONATHAN SHELL, IN HIS OFFICIAL CAPACITY
AS COMMISSIONER OF THE DEPARTMENT OF
AGRICULTURE, ET AL. v.

[2021-CA-1459-MR](#)

JEFFERSON

ANDY BESHEAR, IN HIS OFFICIAL CAPACITY
AS GOVERNOR, ET AL.

[2021-CA-1503-MR](#)

[2022-CA-0020-MR](#)

AND

ANDY BESHEAR, IN HIS OFFICIAL CAPACITY
AS GOVERNOR, ET AL. v.

BERTRAM R. STIVERS, II, IN HIS OFFICIAL
CAPACITIES AS MEMBER OF THE STATE FAIR
BOARD AND PRESIDENT OF THE KENTUCKY
STATE SENATE, ET AL.

AND

COMMONWEALTH OF KENTUCKY, EX REL.
ATTORNEY GENERAL RUSSELL COLEMAN v.
MICHAEL E. BERRY, IN HIS OFFICIAL
CAPACITIES AS THE SECRETARY OF THE
KENTUCKY TOURISM, ARTS AND HERITAGE
CABINET AND A MEMBER OF THE STATE FAIR
BOARD, ET AL.

Entered: MAY 03, 2024

ALEXANDER F. SAINS v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0843-MR](#)

MCCRACKEN

Entered: MAY 02, 2024

KENTUCKY COURT OF APPEALS

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ORDERS DENYING PETITIONS FOR REHEARING

WILLIAM WILLOUGHBY v.
TINA MOORE, ET AL.

[2022-CA-0958-MR](#)

JESSAMINE

Entered: MAY 02, 2024

THE ESTATE OF JAMES DYE, ET AL. v.
RONALD LEE PHELPS, ET AL.

[2023-CA-0434-MR](#)

HART

Entered: MAY 02, 2024