

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

424. JULIE LOCKE v.
MATTHEW SALLEE, ET AL.
OPINION AFFIRMING BY JUDGE JONES
MAZE, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
- [2018-CA-0142-MR](#)
[2018-CA-0257-MR](#)
[2018-CA-0500-MR](#)
[2018-CA-0501-MR](#)
[2018-CA-0782-MR](#)
NOT TO BE PUBLISHED
- JEFFERSON
425. JAMES E. DURHAM v.
COMMONWEALTH OF KENTUCKY
EX REL. CABINET FOR HEALTH AND
FAMILY SERVICES, ET AL.
OPINION AFFIRMING BY JUDGE TAYLOR
CLAYTON, C.J. (CONCURS) AND
ACREE, J. (CONCURS)
- [2019-CA-1925-MR](#)
NOT TO BE PUBLISHED
- BULLITT
426. CHARLOTTE A. HOWARD, ET AL. v.
THE CITY OF ELIZABETHTOWN
KENTUCKY, ET AL.
AND
JEREMY STUBBS v.
CHARLOTTE A. HOWARD, ET AL.
**OPINION AFFIRMING APPEAL NO.
2020-CA-0124-MR AND DISMISSING
CROSS-APPEAL NO. 2020-CA-0133-MR
BY JUDGE MCNEILL**
CALDWELL, J. (CONCURS) AND
MAZE, J. (CONCURS)
- [2020-CA-0124-MR](#)
[2020-CA-0133-MR](#)
TO BE PUBLISHED
- HARDIN
427. CORVELL CONLEY v.
COMMONWEALTH OF KENTUCKY
**OPINION AFFIRMING BY JUDGE
K. THOMPSON**
CLAYTON, C.J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
- [2020-CA-0148-MR](#)
NOT TO BE PUBLISHED
- HARDIN

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

428. DAISY OLIVO v. LEGISLATIVE RESEARCH COMMISSION [2020-CA-0167-MR](#) FRANKLIN
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE CALDWELL
JONES, J. (CONCURS) AND TAYLOR, J. (CONCURS)
429. KELVIN ROBERSON v. COMMONWEALTH OF KENTUCKY [2020-CA-0334-MR](#) TRIGG
NOT TO BE PUBLISHED
OPINION AFFIRMING BY CHIEF JUDGE CLAYTON
CALDWELL, J. (CONCURS) AND K. THOMPSON, J. (CONCURS IN RESULT ONLY)
430. D.W. WILBURN, INC. v. H&H PAINTING, LLC [2020-CA-0919-MR](#) FAYETTE
TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE JONES
COMBS, J. (CONCURS) AND MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

431. MICHAEL J. MOORE, AS THE ADMINISTRATOR OF THE ESTATE OF TIMOTHY M. MOORE v. HANK INVESTMENTS, INC. D/B/A MALABU PUB, ET AL.
AND
JESSICA SCHWEITZER, INDIVIDUALLY AND AS NEXT FRIEND TO HER MINOR CHILDREN, AVERY SCHWEITZER AND JACKSON SCHWEITZER, AND AS EXECUTRIX OF THE ESTATE OF JASON SCHWEITZER, DECEASED v. HANK INVESTMENTS, INC. D/B/A MALABU PUB, ET AL.
OPINION AFFIRMING BY JUDGE CALDWELL

MCNEILL, J. (CONCURS) AND MAZE, J. (DISSENTS AND FILES SEPARATE OPINION)
- [2020-CA-1106-MR](#)
[2020-CA-1110-MR](#)
NOT TO BE PUBLISHED
- FAYETTE
432. LETCHER COUNTY BOARD OF EDUCATION v. ROGER HALL, ET AL.
OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE L. THOMPSON

CLAYTON, C.J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
- [2020-CA-1404-WC](#)
NOT TO BE PUBLISHED
- WORKERS' COMPENSATION BOARD
433. DEMARCUS CARTER v. COMMONWEALTH OF KENTUCKY
OPINION AFFIRMING BY JUDGE TAYLOR

DIXON, J. (CONCURS) AND MCNEILL, J. (CONCURS)
- [2021-CA-0384-MR](#)
NOT TO BE PUBLISHED
- CHRISTIAN

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

434. TOTAL HOME PROTECTION v. [2021-CA-0532-MR](#) JEFFERSON
ANDREW J. SCHEUMANN, ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING
BY JUDGE CETRULO**
- LAMBERT, J. (CONCURS) AND
DIXON, J. (DISSENTS AND FILES
SEPARATE OPINION)
435. CHARLES MUCKER, II v. [2021-CA-0651-MR](#) FRANKLIN
KENTUCKY STATE UNIVERSITY, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE TAYLOR**
- MAZE, J. (CONCURS) AND
JONES, J. (CONCURS IN RESULT ONLY)
436. SHELBY JOE NIX v. [2021-CA-0698-MR](#) BULLITT
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE JONES**
- GOODWINE, J. (CONCURS) AND
MAZE, J. (CONCURS)
437. TONY BRYANT v. [2021-CA-0846-MR](#) HARDIN
KENTUCKY UNEMPLOYMENT **NOT TO BE PUBLISHED**
INSURANCE COMMISSION, ET AL.
- OPINION VACATING AND DISMISSING BY
JUDGE COMBS**
- ACREE, J. (CONCURS) AND
MAZE, J. (CONCURS)
438. JIMMY W. WOLFORD v. [2021-CA-0912-MR](#) PIKE
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE COMBS**
- ACREE, J. (CONCURS) AND
MAZE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

439. J.E.K. v. [2021-CA-1454-ME](#) JEFFERSON
CABINET FOR HEALTH AND FAMILY [2021-CA-1458-ME](#)
SERVICES, COMMONWEALTH OF **NOT TO BE PUBLISHED**
KENTUCKY, ET AL.
- OPINION AFFIRMING BY JUDGE
CETRULO**
- ACREE, J. (CONCURS) AND
L. THOMPSON, J. (CONCURS)
440. BILL WILDER v. [2021-CA-1499-WC](#) WORKERS'
MUHLENBERG COUNTY COAL CO., **NOT TO BE** COMPENSATION
ET AL. **PUBLISHED** BOARD
- OPINION AFFIRMING IN PART,
REVERSING IN PART AND REMANDING
BY JUDGE LAMBERT**
- CETRULO, J. (CONCURS) AND
MCNEILL, J. (CONCURS)

ORDERS DISMISSING

- RICKY THOMAS v. [2021-CA-1105-ME](#) JEFFERSON
ELIZABETH THOMAS
- Entered: JUNE 27, 2022**
- STEVEN BAER v. [2022-CA-0165-ME](#) KENTON
BLAKE SMITH, ET AL.
- Entered: JUNE 28, 2022**
- STEPHEN B. KININMONTH v. [2022-CA-0418-MR](#) JEFFERSON
UNIVERSITY OF LOUISVILLE
- Entered: JUNE 28, 2022**

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

PADUCAH HOSPITALITY PARTNERS II, LLC v. [2022-CA-0498-MR](#) JEFFERSON
CROMWELL DEVELOPMENT CO., INC., ET AL.

Entered: JUNE 28, 2022

ORDERS DENYING PETITIONS FOR REHEARING

BROWN & BROWN OF KENTUCKY, INC. v. [2020-CA-1265-MR](#) JEFFERSON
DAVID C. WALKER, ET AL. [2020-CA-1322-MR](#)

Entered: JUNE 23, 2022

BENJAMIN ROBERTSON, INDIVIDUALLY AND [2021-CA-0496-MR](#) JEFFERSON
ON BEHALF OF AND AS EXECUTOR OF THE [2021-CA-0521-MR](#)
ESTATE OF WILLIAM ROBERTSON v.
WILLIAM KEVIN O'BRIEN, ET AL.

Entered: JUNE 27, 2022

ANGELA MASON IN HER CAPACITY AS [2021-CA-0587-MR](#) JEFFERSON
EXECUTOR OF THE ESTATE OF NORMA
CATHERINE MASON-STIKES, DECEASED v.
HOWARD L. STIKES, BOTH INDIVIDUALLY AND
IN HIS CAPACITY AS ADMINISTRATOR OF THE
ESTATE OF WILLIAM T. STIKES, JR.
DECEASED, ET AL.

Entered: JUNE 24, 2022

COMMONWEALTH OF KENTUCKY v. [2021-CA-0873-MR](#) JEFFERSON
PARADISE BURKHEAD

Entered: JUNE 23, 2022

MEREDITH L. LAWRENCE, P.S.C., CREDITOR, [2021-CA-0927-MR](#) GRANT
ET AL. v.
THE ESTATE OF ROBERT R. WALLACE, ET AL.

Entered: JUNE 28, 2022

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS

ROBERT FLANDERS v. [2022-CA-0222-OA](#) LYON
HON. CLARENCE ALLEN WOODALL, III, JUDGE
LYON CIRCUIT COURT, ET AL.

Entered: JUNE 28, 2022

TIMOTHY HARGROVES, JR. v. [2022-CA-0357-OA](#) HARDIN
HON. KENNETH MARTIN HOWARD, JUDGE,
HARDIN CIRCUIT COURT

Entered: JUNE 28, 2022

BRAD LAWRENCE DENNEY v. [2022-CA-0438-OA](#) MCCREARY
HON. DANIEL L. BALLOU, JUDGE,
MCCREARY CIRCUIT COURT, ET AL.

Entered: JUNE 28, 2022

MOHAMUD ABUKAR v. [2022-CA-0496-OA](#) KENTON
HON. MARTIN J. SHEEHAN, JUDGE,
KENTON CIRCUIT COURT, ET AL.

Entered: JUNE 28, 2022

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

ALLEN WAYNE HATCHER v. [2022-CA-0435-OA](#) EDMONSON
HON. PHILLIP PATTON, SPECIAL JUDGE,
EDMONSON CIRCUIT COURT, ET AL.

Entered: JUNE 28, 2022

ORDERS AFFIRMING

SIDNEY SMITH v. [2022-CA-0324-ME](#) OLDHAM
COMMONWEALTH OF KENTUCKY, ET AL.

Entered: JUNE 28, 2022

KENTUCKY COURT OF APPEALS

JULY 01, 2022 MINUTES

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ORDERS AFFIRMING

CURTIS LEE MAYES v.
COMMONWEALTH OF KENTUCKY, ET AL.

[2022-CA-0456-ME](#)

OLDHAM

Entered: JUNE 28, 2022

JAMES J. NOONAN v.
JAMES D. GREEN, WARDEN

[2022-CA-0564-ME](#)

GRAVES

Entered: JUNE 28, 2022