

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

RELEASED: 10:00 A.M.

535. ERIC JENKINS, ET AL. v. [2020-CA-0173-MR](#) ANDERSON  
THE ESTATE OF MARIE GARMON, BY [2020-CA-0174-MR](#)  
DAVID GARMON, ADMINISTRATOR, **NOT TO BE PUBLISHED**  
ET AL.  
**AND**  
THE ESTATE OF MARIE GARMON BY  
DAVID GARMON, ADMINISTRATOR,  
ET AL. v.  
MAGO CONSTRUCTION COMPANY, LLC,  
ET AL.  
**OPINION AFFIRMING BY JUDGE JONES**  
  
EASTON, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
536. DAVID PONS v. [2021-CA-1392-MR](#) BARREN  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE JONES**  
  
ACREE, J. (CONCURS) AND  
DIXON, J. (CONCURS)
537. MICHAEL TODD KEENE v. [2021-CA-1493-MR](#) JEFFERSON  
JENNIFER KEENE **NOT TO BE PUBLISHED**  
  
**OPINION VACATING AND REMANDING BY  
JUDGE LAMBERT**  
  
COMBS, J. (CONCURS) AND  
DIXON, J. (DISSENTS AND DOES NOT  
FILE SEPARATE OPINION)
538. JAMES GILBERT v. [2022-CA-0006-MR](#) MADISON  
UPTON FAMILY INC. D/B/A MARIO'S PIZZA **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE ACREE**  
  
CETRULO, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

RELEASED: 10:00 A.M.

539. ALETHA CARROLL COMBS v. KAREN RENEER, ET AL. [2022-CA-0362-MR](#) GRAYSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE EASTON**  
ACREE, J. (CONCURS) AND JONES, J. (CONCURS)
540. RODRICK JOHNSON, ET AL. v. NORTHERN KENTUCKY WATER DISTRICT, ET AL. [2022-CA-0372-MR](#) CAMPBELL  
**NOT TO BE PUBLISHED**  
**OPINION REVERSING AND REMANDING BY JUDGE MCNEILL**  
CALDWELL, J. (CONCURS) AND GOODWINE, J. (CONCURS)
541. ALEXANDER HILL v. COMMONWEALTH OF KENTUCKY [2022-CA-0391-MR](#) BALLARD  
[2022-CA-0392-MR](#)  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING IN PART AND VACATING IN PART BY JUDGE MCNEILL**  
EASTON, J. (CONCURS) AND LAMBERT, J. (CONCURS)
542. JAMES PHILLIPS, ET AL. v. GERARDO JAIME, ET AL. [2022-CA-0447-MR](#) BRECKINRIDGE  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CALDWELL**  
ACREE, J. (CONCURS) AND CETRULO, J. (CONCURS)
543. HAQS, LLC v. FIRST FINANCIAL BANK, INC. [2022-CA-0497-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE MCNEILL**  
EASTON, J. (CONCURS) AND LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

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544. TIMOTHY LEE FIFIELD, ET AL. v. DONALD FRITZ DBA LP LIQUOR [2022-CA-0581-MR](#) MADISON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CETRULO**  
ECKERLE, J. (CONCURS) AND GOODWINE, J. (CONCURS)
545. BRIAN WEIHE v. LEANN WEIHE [2022-CA-0668-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE ECKERLE**  
CETRULO, J. (CONCURS) AND GOODWINE, J. (CONCURS)
546. DUSTIN MORRIS, ET AL. v. ASBURY, LP [2022-CA-0787-DG](#) GALLATIN  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE MCNEILL**  
EASTON, J. (CONCURS) AND LAMBERT, J. (CONCURS)
547. GREGGORY D. SEARS, ET AL. v. ADDAM G. CLARK [2022-CA-0852-MR](#) CHRISTIAN  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE DIXON**  
ECKERLE, J. (CONCURS) AND CALDWELL, J. (DISSENTS AND FILES SEPARATE OPINION)
548. JULIA PATTON v. GERALD PATTON [2022-CA-0890-MR](#) GREENUP  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE LAMBERT**  
CALDWELL, J. (CONCURS) AND COMBS, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

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549. BOURBON HAUS 1841, INC., ET AL. v. [2022-CA-0914-MR](#) KENTON  
JKB PROPERTIES, LLC **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE KAREM**  
DIXON, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
550. SPENCER HEATON v. [2022-CA-0917-MR](#) CALDWELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
ECKERLE**  
THOMPSON, C.J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
551. MYRON THORNBERRY, ET AL. v. [2022-CA-0937-MR](#) PENDLETON  
ASA WOLFE, ET AL. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
GOODWINE**  
THOMPSON, C.J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
552. THOMAS E. LONG v. [2022-CA-0949-MR](#) UNION  
NUTRIEN AG SOLUTIONS, INC. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE MCNEILL**  
EASTON, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
553. JOEY L. CARTER v. [2022-CA-0968-MR](#) BRECKINRIDGE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
LAMBERT**  
EASTON, J. (CONCURS) AND  
JONES, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

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554. COMMONWEALTH OF KENTUCKY v. CHRISTOPHER GAGE BLACKFORD [2022-CA-0985-DG](#) JEFFERSON  
**TO BE PUBLISHED**  
**OPINION REVERSING AND REMANDING BY JUDGE GOODWINE**  
THOMPSON, C.J. (CONCURS) AND TAYLOR, J. (CONCURS)
555. ELVIS UGO NJERE v. JELIQUE C. JERRY [2022-CA-1005-ME](#) DAVIESS  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE ACREE**  
KAREM, J. (CONCURS) AND TAYLOR, J. (CONCURS)
556. PAUL E. TAYLOR v. COMMONWEALTH OF KENTUCKY [2022-CA-1046-MR](#) FAYETTE  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**  
ACREE, J. (CONCURS) AND JONES, J. (DISSENTS AND DOES NOT FILE SEPARATE OPINION)
557. BELL COUNTY OFFICE OF JAILER, ET AL. v. NICK J. EPPS [2022-CA-1145-MR](#) BELL  
**NOT TO BE PUBLISHED**  
**OPINION AND ORDER DISMISSING BY JUDGE KAREM**  
CALDWELL, J. (CONCURS) AND COMBS, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

RELEASED: 10:00 A.M.

558. CHRISSEN MEADE v. [2022-CA-1324-MR](#) FAYETTE  
STEPHEN A. SCHANTZ, M.D., ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND REMANDING  
BY JUDGE ECKERLE**
- CETRULO, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
559. DENNY HOLLIDAY v. [2022-CA-1355-MR](#) FAYETTE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING IN PART, VACATING  
IN PART AND REMANDING BY JUDGE  
KAREM**
- THOMPSON, C.J. (CONCURS) AND  
EASTON, J. (CONCURS)
560. COMMONWEALTH OF KENTUCKY v. [2022-CA-1465-MR](#) JEFFERSON  
CARRIE L. CARROLL **TO BE PUBLISHED**
- OPINION VACATING AND REMANDING BY  
JUDGE CETRULO**
- ECKERLE, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)

**ORDERS DISMISSING**

T.P. v. [2023-CA-0478-ME](#) KENTON  
E.K.

**Entered: AUGUST 03, 2023**

DELORES ANN TILLERY (NOW RIGDON) v. [2023-CA-0532-MR](#) FLEMING  
TERRY ETHAN TILLERY

**Entered: AUGUST 04, 2023**

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR AMERICAN  
HOME MORTGAGE ASSETS TRUST 2007-2,  
MORTGAGE-BACKED PASS-THROUGH  
CERTIFICATES SERIES 2007-2 v.  
GARY D. ROLAND, ET AL.

[2023-CA-0642-MR](#)

FAYETTE

**Entered: AUGUST 15, 2023**

DORNEVIL JOSEPH v.  
ELIZABETH GILLIS

[2023-CA-0685-MR](#)

FAYETTE

**Entered: AUGUST 03, 2023**

ELIZABETH KUMARAVELU, AS PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
KUMARASORIYAR KUMARAVELU, M.D., ET AL.  
v.  
GEETA CHAVDA, MD, ET AL.

[2020-CA-0338-MR](#)

LOGAN

**Entered: AUGUST 15, 2023**

CITY OF MURRAY, KENTUCKY, ET AL. v.  
SUSAN HOOD

[2022-CA-1126-MR](#)

CALLOWAY

**Entered: AUGUST 15, 2023**

DAVENA LYNNE VOWELS, ET AL. v.  
BRANDIE NICOLE PIERANI

[2023-CA-0160-MR](#)

BULLITT

**Entered: AUGUST 15, 2023**

THE HARRISON MEMORIAL HOSPITAL, INC. v.  
TAMY FRAZER, AS ADMINISTRATRIX FOR THE  
ESTATE OF OSCAR MOBERLY, DECEASED

[2023-CA-0466-MR](#)

HARRISON

**Entered: AUGUST 15, 2023**

KENTUCKY COURT OF APPEALS

AUGUST 18, 2023 MINUTES

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**ORDERS DISMISSING**

K.R.R. v. [2023-CA-0658-ME](#) HARDIN  
COMMONWEALTH OF KENTUCKY, CABINET  
FOR HEALTH AND FAMILY SERVICES, ET AL.  
Entered: **AUGUST 15, 2023**

JESSICA RENEE MORSEY v. [2023-CA-0717-MR](#) JEFFERSON  
MICHAEL LEE JOHNSTON  
Entered: **AUGUST 15, 2023**

**ORDER DENYING PETITION FOR REHEARING**

MELZENA LULABELL MOORE v. [2021-CA-1349-MR](#) LAUREL  
COMMONWEALTH OF KENTUCKY  
Entered: **AUGUST 15, 2023**

**ORDERS AFFIRMING**

PHILLIP REED v. [2023-CA-0758-ME](#) POWELL  
COMMONWEALTH OF KENTUCKY  
Entered: **AUGUST 15, 2023**

BRIAN MADDEN v. [2023-CA-0797-ME](#) HARDIN  
COMMONWEALTH OF KENTUCKY  
Entered: **AUGUST 01, 2023**

**ORDER REMANDING**

BRANDON BRETZ v. [2023-CA-0757-ME](#) BATH  
COMMONWEALTH OF KENTUCKY  
Entered: **AUGUST 15, 2023**