

KENTUCKY COURT OF APPEALS

AUGUST 19, 2022 MINUTES

RELEASED: 10:00 A.M.

534. MARION BISCHOFF, ET AL. v. [2019-CA-1131-MR](#) NELSON  
HAROLD BYRD, ET AL. **NOT TO BE PUBLISHED**

**OPINION AND ORDER DISMISSING BY  
CHIEF JUDGE CLAYTON**

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

535. KATHRYN TOWERY, ET AL. v. [2019-CA-1551-MR](#) WEBSTER  
CRAIG T. MCCORMICK, IN HIS CAPACITY [2019-CA-1552-MR](#)  
AS EXECUTOR OF THE ESTATE OF [2019-CA-1576-MR](#)  
JAMES T. MCCORMICK, DECEASED, **NOT TO BE PUBLISHED**  
ET AL.

**AND**

AUNDREA L. TOWERY v.  
CRAIG T. MCCORMICK, IN HIS CAPACITY  
AS EXECUTOR OF THE ESTATE OF  
JAMES T. MCCORMICK, DECEASED,  
ET AL.

**AND**

ESTATE OF JAMES T. MCCORMICK,  
CRAIG T. MCCORMICK, EXECUTOR,  
ET AL. v.  
AUNDREA L. TOWERY, ET AL.

**OPINION AFFIRMING APPEAL NO.  
2019-CA-1551-MR, AFFIRMING IN PART,  
REVERSING IN PART, AND REMANDING  
APPEAL NO. 2019-CA-1552-MR, AND  
AFFIRMING CROSS-APPEAL NO.  
2019-CA-1576-MR BY JUDGE TAYLOR**

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

KENTUCKY COURT OF APPEALS

AUGUST 19, 2022 MINUTES

RELEASED: 10:00 A.M.

536. EARNEST BRADLEY HALL, JR. v. COMMONWEALTH OF KENTUCKY [2019-CA-1719-MR](#) FLOYD  
**NOT TO BE PUBLISHED**  
**OPINION VACATING AND REMANDING BY JUDGE TAYLOR**  
CLAYTON, C.J. (CONCURS) AND ACREE, J. (CONCURS)
537. ADAM ANTHONY BARKER v. COMMONWEALTH OF KENTUCKY [2021-CA-0367-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CETRULO**  
CLAYTON, C.J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
538. JASON BENFIELD v. MELISSA BENFIELD [2021-CA-0531-ME](#) BULLITT  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE ACREE**  
DIXON, J. (CONCURS) AND K. THOMPSON, J. (CONCURS)
539. GARY DWAYNE DOEPEL v. CHRISTY MASON DOEPEL [2021-CA-0567-MR](#) TODD  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE L. THOMPSON**  
K. THOMPSON, J. (CONCURS) AND TAYLOR, J. (DISSENTS AND DOES NOT FILE SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

AUGUST 19, 2022 MINUTES

RELEASED: 10:00 A.M.

540. CHRISTOPHER D. THOMAS v.  
EDUCATION PROFESSIONAL  
STANDARDS BOARD, ET AL. [2021-CA-0604-MR](#) FRANKLIN  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
CETRULO**
- CLAYTON, C.J. (CONCURS) AND  
K. THOMPSON, J. (CONCURS)
541. BRUCE SHUMAKE v.  
SANDRA MILLER, ET AL. [2021-CA-0616-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE MAZE**
- JONES, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
542. NATIONWIDE GENERAL INSURANCE  
COMPANY v.  
MELISSA STURGILL [2021-CA-0683-MR](#) LETCHER  
**NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING  
BY JUDGE ACREE**
- GOODWINE, J. (CONCURS) AND  
L. THOMPSON, J. (CONCURS)
543. JOHN TABOR v.  
COMMONWEALTH OF KENTUCKY [2021-CA-0955-MR](#) FRANKLIN  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
L. THOMPSON**
- DIXON, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 19, 2022 MINUTES

RELEASED: 10:00 A.M.

544. STANFIELD BODY SHOP, LLC v. [2021-CA-0995-MR](#) CLARK  
JEFFREY BRUNER **NOT TO BE PUBLISHED**
- OPINION AFFIRMING IN PART, VACATING  
IN PART, AND REMANDING BY JUDGE  
MAZE**
- JONES, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
545. CLAY FULLER v. [2021-CA-1009-MR](#) MADISON  
CLARK D. PERGREM, ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING BY JUDGE DIXON**
- LAMBERT, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
546. UNIVERSITY OF LOUISVILLE v. [2021-CA-1066-MR](#) FRANKLIN  
KENTUCKY SCHOOL BOARDS **NOT TO BE PUBLISHED**  
INSURANCE TRUST, ET AL.
- OPINION AFFIRMING BY JUDGE  
LAMBERT**
- DIXON, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
547. DERICK SHEPHERD v. [2021-CA-1106-MR](#) BULLITT  
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**  
CABINET FOR HEALTH AND FAMILY  
SERVICES, ET AL.
- OPINION AFFIRMING BY JUDGE  
L. THOMPSON**
- DIXON, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 19, 2022 MINUTES

RELEASED: 10:00 A.M.

548. SNR RAILOPS LLC v. [2021-CA-1212-MR](#) FLOYD  
DYING EMBER COAL COMPANY LLC **NOT TO BE PUBLISHED**  
**OPINION VACATING AND REMANDING BY  
CHIEF JUDGE CLAYTON**  
CETRULO, J. (CONCURS) AND  
K. THOMPSON, J. (DISSENTS AND FILES  
SEPARATE OPINION)
549. MARTIN ALAN WILLINGER v. [2021-CA-1342-MR](#) JEFFERSON  
RHONDA KAY WILLINGER, ET AL. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND REMANDING  
BY JUDGE L. THOMPSON**  
DIXON, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
550. SCOTT DUNBAR v. [2021-CA-1343-ME](#) JEFFERSON  
ODELIN VIDAL **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
K. THOMPSON**  
DIXON, J. (CONCURS) AND  
JONES, J. (CONCURS)
551. B.G. v. [2022-CA-0090-ME](#) JEFFERSON  
K.G. [2022-CA-0121-ME](#)  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE  
K. THOMPSON**  
TAYLOR, J. (CONCURS) AND  
L. THOMPSON, J. (CONCURS)

**ORDER GRANTING MOTION TO PUBLISH OPINION**

RICKY YOUNG, ET AL. v. [2021-CA-0501-DG](#) PULASKI  
WILLIAM HOUSE, ET AL.

Entered: AUGUST 19, 2022

KENTUCKY COURT OF APPEALS

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**ORDERS DISMISSING**

DONALD CARROLL v.  
COMMONWEALTH OF KENTUCKY

[2022-CA-0691-MR](#)

RUSSELL

Entered: **AUGUST 17, 2022**

VENCENTE HELM v.  
COMMONWEALTH OF KENTUCKY

[2021-CA-1326-MR](#)

JEFFERSON

Entered: **AUGUST 17, 2022**

COREY CHAPMAN v.  
COMMONWEALTH OF KENTUCKY

[2022-CA-0697-MR](#)

MORGAN

Entered: **AUGUST 16, 2022**

JOHN PALMER v.  
COMMONWEALTH OF KENTUCKY

[2022-CA-0709-MR](#)

CAMPBELL

Entered: **AUGUST 16, 2022**

**ORDERS DENYING PETITIONS FOR REHEARING**

GERRY BERNARDO v.  
TRISHA BERNARDO

[2019-CA-1528-MR](#)

FAYETTE

Entered: **AUGUST 12, 2022**

TIMOTHY POOLE v.  
VALETTA BROWNE

[2021-CA-0805-MR](#)

FAYETTE

Entered: **AUGUST 16, 2022**