

**COURT OF APPEALS OF KENTUCKY**

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| 938 | COX (JASON)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>CLAYTON (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND<br>COMBS (CONCURS)  | <a href="#">2008-CA-000176-MR</a><br>TO BE PUBLISHED     | HENRY     |
| 939 | CARVER (PRINCESS)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART AND<br>REMANDING<br>ACREE (PRESIDING JUDGE)<br>KELLER (CONCURS) AND LAMBERT<br>(CONCURS) | <a href="#">2008-CA-001404-MR</a><br>TO BE PUBLISHED     | JEFFERSON |
| 940 | ALLEN (RICHARD)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>COMBS (CONCURS) AND NICKELL<br>(CONCURS)  | <a href="#">2008-CA-002343-MR</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 941 | WILLIAMS (ROBERT LEON)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>HARRIS (PRESIDING JUDGE)<br>KELLER (CONCURS) AND<br>THOMPSON (CONCURS)   | <a href="#">2008-CA-002352-MR</a><br>NOT TO BE PUBLISHED | HARDIN    |
| 942 | STUMBO ( ROBERT)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR, COMBS AND NICKELL<br>(PER CURIAM)  | <a href="#">2008-CA-002415-MR</a><br>NOT TO BE PUBLISHED | FLOYD     |
| 943 | CLEMENTS (VICTORIA H.)<br>VS.<br>SMITH (PHILLIP M.)<br>OPINION REVERSING AND<br>REMANDING<br>NICKELL (PRESIDING JUDGE)<br>STUMBO (CONCURS) AND WHITE<br>(CONCURS)                                | <a href="#">2009-CA-000266-MR</a><br>NOT TO BE PUBLISHED | HARLAN    |

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| 944 | PERRY, DMD (ANNA C.), ET AL.<br>VS.<br>WILSON (JOHN), ET AL.<br>OPINION AFFIRMING<br>NICKELL (PRESIDING JUDGE)<br>MOORE (CONCURS) AND WINE<br>(CONCURS)                                 | <a href="#">2009-CA-000381-MR</a><br>NOT TO BE PUBLISHED                  | JEFFERSON |
| 945 | SALYER (RONALD KEITH)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING IN PART AND<br>REVERSING IN PART<br>CAPERTON (PRESIDING JUDGE)<br>WINE (CONCURS) AND LAMBERT<br>(CONCURS) | <a href="#">2009-CA-000439-MR</a><br>NOT TO BE PUBLISHED                  | JEFFERSON |
| 946 | UNIVERSITY OF KENTUCKY, ET AL.<br>VS.<br>FURTULA (VERA)<br>OPINION REVERSING AND<br>REMANDING<br>HARRIS (PRESIDING JUDGE)<br>ACREE (CONCURS) AND NICKELL<br>(CONCURS)                   | <a href="#">2009-CA-000811-MR</a><br>2009-CA-000852-MR<br>TO BE PUBLISHED | FAYETTE   |
| 947 | AUTO OWNERS INSURANCE CO.<br>VS.<br>CONSUMERS INSURANCE USA,<br>INC.<br>OPINION REVERSING AND<br>REMANDING<br>LAMBERT (PRESIDING JUDGE)<br>DIXON (CONCURS) AND KELLER<br>(CONCURS)      | <a href="#">2009-CA-000955-MR</a><br>TO BE PUBLISHED                      | HOPKINS   |
| 948 | SHULTZ (DARYL)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>ACREE (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND KELLER<br>(CONCURS AND FILES SEPARATE<br>OPINION)            | <a href="#">2009-CA-000962-MR</a><br>NOT TO BE PUBLISHED                  | JEFFERSON |
| 949 | ROBERTS (JOHN), ET AL.<br>VS.<br>THE ESTATE OF LAHOMA SALYER<br>BRAMBLE , ET AL.<br>OPINION AFFIRMING<br>BUCKINGHAM (PRESIDING JUDGE)<br>CLAYTON (CONCURS) AND KELLER<br>(CONCURS)      | <a href="#">2009-CA-001233-MR</a><br>NOT TO BE PUBLISHED                  | MAGOFFIN  |

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| 950 | KNOX COUNTY, KENTUCKY;<br>AND CITY OF BARBOURVILLE,<br>KENTUCKY<br>VS.<br>CITY OF CORBIN, KENTUCKY;<br>AND JOE WHITE<br>AND<br>CITY OF CORBIN, KENTUCKY;<br>AND JOE WHITE<br>OPINION AFFIRMING IN PART<br>REVERSING IN PART AND<br>REMANDING<br>ACREE (PRESIDING JUDGE)<br>DIXON (CONCURS) AND STUMBO<br>(CONCURS) | <a href="#">2009-CA-001259-MR</a><br><a href="#">2009-CA-001308-MR</a><br>NOT TO BE PUBLISHED | KNOX    |
| 951 | WOOD (JASON)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>CLAYTON (PRESIDING JUDGE)<br>KELLER (CONCURS) AND<br>BUCKINGHAM (CONCURS)  | <a href="#">2009-CA-001301-MR</a><br>NOT TO BE PUBLISHED                                      | GRAVES  |
| 952 | DELACRUZ (DAVID)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION REVERSING AND<br>REMANDING<br>HARRIS (PRESIDING JUDGE)<br>KELLER (CONCURS) AND<br>THOMPSON (DISSENTS AND FILES<br>SEPARATE OPINION)   | <a href="#">2009-CA-001312-MR</a><br>TO BE PUBLISHED  | GRAVES  |
| 953 | LYDIAN (ASHE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART AND<br>REMANDING<br>TAYLOR (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND HENRY<br>(CONCURS)   | <a href="#">2009-CA-001339-MR</a><br>NOT TO BE PUBLISHED                                      | NELSON  |
| 954 | CASTLE (MONNIE KING), ET AL.<br>VS.<br>SLONE (MARTHA), ET AL.<br>OPINION AFFIRMING<br>CLAYTON (PRESIDING JUDGE)<br>KELLER (CONCURS) AND<br>BUCKINGHAM (CONCURS)  | <a href="#">2009-CA-001360-MR</a><br>NOT TO BE PUBLISHED                                      | JOHNSON |

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| 955 | BRANNAN (THOMAS L.)<br>VS.<br>BRANNAN (NOW ZELLER) (TAMMY C.)<br>OPINION REVERSING AND REMANDING<br>NICKELL (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND CAPERTON (CONCURS)                                    | <a href="#">2009-CA-001400-MR</a><br>NOT TO BE PUBLISHED                                      | HARDIN  |
| 956 | HOUSEHOLD FINANCE CORPORATION II, ET AL.<br>VS.<br>KING (LEVAN), ET AL.<br>OPINION REVERSING AND REMANDING<br>BUCKINGHAM (PRESIDING JUDGE)<br>CLAYTON (CONCURS) AND KELLER (CONCURS IN RESULT ONLY)          | <a href="#">2009-CA-001472-MR</a><br>NOT TO BE PUBLISHED                                      | LETCHER |
| 957 | BROWN (BRIAN D.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>DIXON (PRESIDING JUDGE)<br>TAYLOR (CONCURS) AND HENRY (CONCUR)   | <a href="#">2009-CA-001546-MR</a><br>NOT TO BE PUBLISHED                                      | FAYETTE |
| 958 | TOOHEY REALTY, LLC., ET AL.<br>VS.<br>BOWLING GREEN- WARREN COUNTY COMMUNITY HOSPITAL CORP.<br>OPINION VACATING IN PART AND REMANDING<br>VANMETER (PRESIDING JUDGE)<br>THOMPSON (CONCURS) AND WINE (CONCURS) | <a href="#">2009-CA-001657-MR</a><br>NOT TO BE PUBLISHED                                      | WARREN  |
| 959 | STATE AUTOMOBILE MUTUAL INSURANCE COMPANY<br>VS.<br>OCCIDENTAL FIRE & CASUALTY INSURANCE COMPANY, ET AL.<br>OPINION DISMISSING<br>LAMBERT (PRESIDING JUDGE)<br>COMBS (CONCURS) AND KELLER (CONCURS)          | <a href="#">2009-CA-001660-MR</a><br><a href="#">2009-CA-001661-MR</a><br>NOT TO BE PUBLISHED | BULLITT |

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| 960 | G. (M.)<br>VS.<br>CABINET FOR HEALTH AND FAMILY SERVICES , ET AL.<br>OPINION AFFIRMING<br>BUCKINGHAM (PRESIDING JUDGE)<br>CLAYTON (CONCURS) AND KELLER (CONCURS)    | <a href="#">2009-CA-001765-ME</a><br>2009-CA-001827-ME<br>2009-CA-001834-ME<br>NOT TO BE PUBLISHED | ESTILL    |
| 961 | MITCHELL (RICHARD M.)<br>VS.<br>MITCHELL (KATHLEEN WOODWARD),ET AL<br>OPINION REVERSING<br>LAMBERT (PRESIDING JUDGE)<br>CLAYTON (CONCURS) AND HENRY (CONCURS)       | <a href="#">2009-CA-001856-MR</a><br>TO BE PUBLISHED   | FAYETTE   |
| 962 | PATRICK (MICHELLE)<br>VS.<br>CORRECTIONAL CORPORATION OF AMERICA , ET AL.<br>OPINION AFFIRMING<br>DIXON (PRESIDING JUDGE)<br>ACREE (CONCURS) AND STUMBO (CONCURS)   | <a href="#">2009-CA-001919-MR</a><br>NOT TO BE PUBLISHED   | LEE       |
| 963 | GREEN (MARITIZA SANTA CHABRIEL)<br>VS.<br>GREEN (CARL WILLIAM)<br>OPINION AFFIRMING<br>NICKELL (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND LAMBERT (CONCURS)        | <a href="#">2009-CA-002013-ME</a><br>NOT TO BE PUBLISHED   | CHRISTIAN |
| 964 | NORTHERN (NORMA F.)<br>VS.<br>KENTUCKY COUNCIL ON POSTSECONDARY EDUCATION<br>OPINION AFFIRMING<br>HARRIS (PRESIDING JUDGE)<br>ACREE (CONCURS) AND NICKELL (CONCURS) | <a href="#">2009-CA-002146-MR</a><br>NOT BE PUBLISHED  | FRANKLIN  |
| 965 | R. (B.)<br>VS.<br>CABINET FOR HEALTH AND FAMILY SERVICES , ET AL.<br>OPINION AFFIRMING<br>HENRY (PRESIDING JUDGE)<br>CLAYTON (CONCURS) AND LAMBERT (CONCURS)        | <a href="#">2009-CA-002193-ME</a><br>NOT TO BE PUBLISHED   | KENTON    |

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| 966 | COMMONWEALTH OF KENTUCKY,<br>FINANCE AND ADMINISTRATION,<br>CABINET DEPARTMENT OF<br>REVENUE<br>VS.<br>LEXINGTON-FAYETTE URBAN<br>COUNTY GOVERNMENT<br>OPINION AFFIRMING<br>HARRIS (PRESIDING JUDGE)<br>ACREE (CONCURS) AND NICKELL<br>(CONCURS) | <a href="#">2009-CA-002220-MR</a><br>TO BE PUBLISHED     | FRANKLIN         |
| 967 | YOST (JON THOMAS)<br>VS.<br>YOST (SAMANTHA BALLARD), ET<br>AL.<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART AND<br>REMANDING<br>CLAYTON (PRESIDING JUDGE)<br>KELLER (CONCURS) AND LAMBERT<br>(CONCURS)                                     | <a href="#">2009-CA-002329-ME</a><br>NOT TO BE PUBLISHED | MONTGOMERY       |
| 968 | DIRE (MICHAEL)<br>VS.<br>DIRE ( NOW BAILEY ) (MELISSA)<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>COMBS (CONCURS) AND NICKELL<br>(CONCURS)  | <a href="#">2009-CA-002366-ME</a><br>NOT TO BE PUBLISHED | BARREN           |
| 969 | ALLIED SYSTEMS, LTD.<br>VS.<br>BRADLEY (ERNEST) ET AL<br>OPINION AFFIRMING<br>TAYLOR, COMBS AND NICKELL<br>(PER CURIAM)  | <a href="#">2010-CA-000024-WC</a><br>NOT TO BE PUBLISHED | WORKERS'<br>COMP |
| 970 | GRAHAM (JEFFREY)<br>VS.<br>TSL, LTD., ET AL.<br>OPINION AFFIRMING<br>HARRIS (PRESIDING JUDGE)<br>KELLER (CONCURS) AND<br>THOMPSON (CONCURS)  | <a href="#">2010-CA-000547-WC</a><br>TO BE PUBLISHED     | WORKERS'<br>COMP |

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| 971 | BAILEY (JAMES)<br>VS.<br>NORTHPOINT SENIOR SERVICES ,<br>ET AL.<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>COMBS (CONCURS) AND NICKELL<br>(CONCURS)                                 | <a href="#">2010-CA-000551-WC</a><br>NOT TO BE PUBLISHED | WORKERS'<br>COMP |
| 972 | PEABODY HOLDING, INC., (N/K/A<br>PATRIOT COAL COMPANY) ()<br>VS.<br>MCGUIRE (GREGORY), ET AL.<br>OPINION AFFIRMING<br>VANMETER (PRESIDING JUDGE)<br>THOMPSON (CONCURS) AND WINE<br>(CONCURS) | <a href="#">2010-CA-000684-WC</a><br>NOT TO BE PUBLISHED | WORKERS'<br>COMP |

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ORDER DENYING PETITION FOR REHEARING

B & H GAS, INC. 2008-CA-0001974-MR FLOYD  
VS.  
TRACEY R. KENDRICK , ET AL  
ENTERED 10/06/2010

ELLIS KEYES 2009-CA-002016-MR LETCHER  
VS.  
CLYDE HOGG  
ENTERED 10/04/2010

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ORDER DISMISSING:

AUDREY L. JOHNSON 2009-CA-002303-MR JEFFERSON  
VS.  
HOMEQ SERVICING CORPORATION  
ENTERED 10/01/2010

CERTAIN GROUP MEMBER APPELLANTS 2010-CA-000736-MR FRANKLIN  
VS.  
CERTAIN GROUP MEMBERS APPELLLEES  
ENTERED 10/04/2010

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CERTAIN GROUP MEMBER PETITIONERS

2010-CA-000737-OA

FRANKLIN

VS.

THOMAS D. WINGATE,  
JUDGE, FRANKLIN CIRCUIT COURT,

DIVISION II, ET AL

ENTERED 10/04/2010