

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

659. LEWIS LOGAN v.  
RALPH JEFFREY COLLINS
- [2022-CA-0731-MR](#)  
**NOT TO BE PUBLISHED**
- BUTLER
- OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND REMANDING  
BY JUDGE MCNEILL**
- THOMPSON, C.J. (CONCURS) AND  
KAREM, J. (CONCURS)
660. RODNEY J. SABO v.  
MICHAEL STAFFORD
- [2022-CA-0741-MR](#)  
**NOT TO BE PUBLISHED**
- KENTON
- OPINION REVERSING AND REMANDING  
BY JUDGE LAMBERT**
- EASTON, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
661. CRAIG COLLINS v.  
COMMONWEALTH OF KENTUCKY
- [2022-CA-0745-MR](#)  
[2022-CA-0746-MR](#)  
[2022-CA-0747-MR](#)  
[2022-CA-0749-MR](#)  
**NOT TO BE PUBLISHED**
- LOGAN
- OPINION REVERSING AND REMANDING  
BY JUDGE GOODWINE**
- CETRULO, J. (CONCURS) AND  
ECKERLE, J. (CONCURS)
662. CHRISTOPHER GRIBBINS v.  
COMMONWEALTH OF KENTUCKY
- [2022-CA-0814-MR](#)  
**NOT TO BE PUBLISHED**
- MARION
- OPINION AFFIRMING BY JUDGE  
LAMBERT**
- ACREE, J. (CONCURS) AND  
CALDWELL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

663. MATT E. MINIARD v. [2022-CA-0881-MR](#) FAYETTE  
HEATHER SILVANIK, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE MCNEILL**
- CETRULO, J. (CONCURS) AND  
DIXON, J. (CONCURS)
664. LEXINGTON ALZHEIMER'S INVESTORS, [2022-CA-0965-MR](#) FAYETTE  
LLC D/B/A THE LANTERN AT MORNING **NOT TO BE PUBLISHED**  
POINTE ALZHEIMER'S CENTER OF  
EXCELLENCE, ET AL. v.  
SANDRA NORRIS, INDIVIDUALLY AND AS  
ADMINISTRATRIX OF THE ESTATE OF  
RAYFORD CHARLES NORRIS
- OPINION AFFIRMING BY CHIEF JUDGE  
THOMPSON**
- GOODWINE, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
665. HAROLD EDWARD HALL v. [2022-CA-0995-MR](#) JEFFERSON  
KELLEY ANN HEAVENER, ET AL. [2022-CA-1163-MR](#)  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE TAYLOR**
- THOMPSON, C.J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
666. KENNETH OWENS, ET AL. v. [2022-CA-1087-MR](#) BREATHITT  
CALVIN SAUM, II, ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING  
BY JUDGE KAREM**
- THOMPSON, C.J. (CONCURS) AND  
EASTON, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**OCTOBER 13, 2023 MINUTES**

**RELEASED: 10:00 A.M.**

667. CARRIE JOHNSON, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF DENVER STEPHEN JOHNSON v. D. HENRY, ET AL. [2022-CA-1113-MR](#) **NOT TO BE PUBLISHED** FAYETTE
- OPINION AFFIRMING BY JUDGE MCNEILL**
- THOMPSON, C.J. (CONCURS) AND KAREM, J. (CONCURS)
668. TERRY W. TYLER v. COMMONWEALTH OF KENTUCKY [2022-CA-1119-MR](#) **NOT TO BE PUBLISHED** HENDERSON
- OPINION AFFIRMING BY JUDGE JONES**
- EASTON, J. (CONCURS) AND ECKERLE, J. (CONCURS)
669. KENTUCKY GROUP SELF-INSURANCE GUARANTY FUND v. SHARON P. CLARK, COMMISSIONER OF THE KENTUCKY DEPARTMENT OF INSURANCE, IN HER CAPACITY AS REHABILITATOR/LIQUIDATOR OF AIK COMP [2022-CA-1122-MR](#) **NOT TO BE PUBLISHED** FRANKLIN
- OPINION AFFIRMING BY JUDGE TAYLOR**
- THOMPSON, C.J. (CONCURS) AND GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

670. J.A.J. v. [2022-CA-1325-ME](#) BUTLER  
COMMONWEALTH OF KENTUCKY, [2022-CA-1326-ME](#)  
CABINET FOR HEALTH AND FAMILY [2022-CA-1328-ME](#)  
SERVICES, ET AL. [2022-CA-1329-ME](#)  
**AND** [2022-CA-1331-ME](#)  
L.J.K. v. [2022-CA-1332-ME](#)  
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**  
CABINET FOR HEALTH AND FAMILY  
SERVICES, ET AL.
- OPINION AFFIRMING BY JUDGE KAREM**
- ACREE, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
671. JAMES L. MARCUM, ET AL. v. [2022-CA-1416-MR](#) LAUREL  
U.S. BANK, NATIONAL ASSOCIATION, AS **TO BE PUBLISHED**  
INDENTURE TRUSTEE FOR THE CIM  
TRUST 2019-R3 MORTGAGE BACKED  
NOTES, SERIES 2019-R3, ET AL.
- OPINION AFFIRMING BY JUDGE  
CETRULO**
- KAREM, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
672. S.D. v. [2022-CA-1475-ME](#) BULLITT  
COMMONWEALTH OF KENTUCKY, [2022-CA-1476-ME](#)  
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**  
SERVICES, ET AL.
- OPINION AND ORDER AFFIRMING BY  
JUDGE MCNEILL**
- COMBS, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

673. MICHAEL DWAYNE GREGORY v. BRENDA LOGAN [2022-CA-1522-MR](#) WHITLEY  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CETRULO**  
THOMPSON, C.J. (CONCURS) AND COMBS, J. (CONCURS)
674. T&T CATTLE COMPANY, LLC v. STEPHEN J. CAMPBELL, ET AL. [2022-CA-1540-MR](#) ESTILL  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE COMBS**  
THOMPSON, C.J. (CONCURS) AND CETRULO, J. (CONCURS)
675. ELIZABETH BURCH v. LOUIS BERTRAND THOMAS III, AND LAURA ELIZABETH THOMAS FRITZ, INDIVIDUALLY AND AS CO-EXECUTORS OF THE ESTATE OF LOUIS BERTRAND THOMAS, JR., ET AL. [2023-CA-0005-MR](#) MADISON  
**TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE KAREM**  
CETRULO, J. (CONCURS) AND MCNEILL, J. (CONCURS)
676. A.L.F. v. COMMONWELATH OF KENTUCKY, ET AL. [2023-CA-0330-ME](#) MARSHALL  
[2023-CA-0331-ME](#)  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE COMBS**  
JONES, J. (CONCURS) AND MCNEILL, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**OCTOBER 13, 2023 MINUTES**

**RELEASED: 10:00 A.M.**

677. S.S. v. [2023-CA-0379-ME](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY, **TO BE PUBLISHED**  
CABINET FOR HEALTH AND FAMILY  
SERVICES, ET AL.

**OPINION AFFIRMING BY CHIEF JUDGE  
THOMPSON**

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

**ORDERS DISMISSING**

LOIS MAYNARD v. [2022-CA-1339-MR](#) GREENUP  
U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, SUCCESSOR IN INTEREST TO BANK  
OF AMERICA, NATIONAL ASSOCIATION, AS  
TRUSTEE, SUCCESSOR BY MERGER TO  
LASALLE BANK, NATIONAL ASSOCIATION, AS  
TRUSTEE FOR MERRILL LYNCH FIRST  
FRANKLIN MORTGAGE LOAN TRUST

**Entered: OCTOBER 09, 2023**

STEPHEN MEREDITH, IN HIS OFFICIAL [2022-CA-1455-MR](#) FRANKLIN  
CAPACITY AS SENATOR AND CO-CHAIR OF  
THE GOVERNMENT CONTRACT REVIEW  
COMMITTEE, ET AL. v.  
ANDY BESHEAR, IN HIS OFFICIAL CAPACITY  
AS GOVERNOR OF THE COMMONWEALTH OF  
KENTUCKY, ET AL.

**Entered: OCTOBER 04, 2023**

KIMBERLY MONTGOMERY, ET AL. v. [2022-CA-1530-MR](#) SPENCER  
KEVIN BAILEY

**Entered: OCTOBER 04, 2023**

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

KYLE T. THOMPSON v.  
THE CITY OF FRANKFORT, KENTUCKY, ET AL.

[2023-CA-0037-MR](#)

FRANKLIN

**Entered: OCTOBER 10, 2023**

KELLI GWENDOLYN WRIGHT v.  
JEFFREY JAMES WRIGHT

[2023-CA-0095-MR](#)

FLEMING

**Entered: OCTOBER 09, 2023**

KIA WATERS v.  
JOSEPH SWARTZ, ET AL.

[2023-CA-0097-MR](#)

HARDIN

**Entered: OCTOBER 04, 2023**

ERIC GANT v.  
CHRISTA GANT

[2023-CA-0188-MR](#)

JEFFERSON

**Entered: OCTOBER 04, 2023**

THOMAS FIELD VANMETER, ET AL. v.  
AUTO-OWNERS INSURANCE COMPANY

[2023-CA-0226-MR](#)

HARRISON

**Entered: OCTOBER 04, 2023**

GEORGE MCKIN, ET AL. v.  
AUTO-OWNERS INSURANCE COMPANY

[2023-CA-0240-MR](#)

HARRISON

**Entered: OCTOBER 04, 2023**

TONYA LUVIANO, INDIVIDUALLY, AND AS  
ADMINISTRATRIX OF THE ESTATE OF  
SANTIAGO LUVIANO v.  
NORTH AMERICAN STAINLESS, INC., ET AL.

[2023-CA-0329-MR](#)

CARROLL

**Entered: OCTOBER 04, 2023**

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

MICHAEL ALLEN SCHWENKE v.  
MEGAN CHRISTINE TOLLER

[2023-CA-0465-MR](#)

MASON

**Entered: OCTOBER 04, 2023**

CHRISTI LEE v.  
CHIEMI CHEATHAM, ET AL.

[2023-CA-0616-MR](#)

HENDERSON

**Entered: OCTOBER 09, 2023**

ROBERT DYER v.  
BEKKI JO SWANSON

[2023-CA-0751-ME](#)

BULLITT

**Entered: OCTOBER 04, 2023**

CEM YALKUT v.  
LVNV FUNDING, LLC

[2023-CA-0818-D](#)

FAYETTE

**Entered: OCTOBER 05, 2023**

KEVIN RAMEY v.  
CAROL R. JOLLY (NOW SKAGGS)

[2023-CA-0898-MR](#)

NICHOLAS

**Entered: OCTOBER 04, 2023**

BILLY CAUDILL v.  
COMMONWEALTH OF KENTUCKY

[2022-CA-0757-MR](#)

WOLFE

**Entered: OCTOBER 09, 2023**

AUSTEN DAVID GREEN v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0054-MR](#)

HARDIN

**Entered: OCTOBER 04, 2023**



KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

SATOYIA SMITH v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0196-MR](#)

JEFFERSON

**Entered: OCTOBER 04, 2023**

DONALD M. LYNCH v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0392-MR](#)

OHIO

**Entered: OCTOBER 09, 2023**

TRACY M. MEADOWS v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0452-D](#)

HENRY

**Entered: OCTOBER 04, 2023**

LANDMARK OF ELKHORN CITY  
REHABILITATION AND NURSING CENTER, LLC  
D/B/A LANDMARK OF ELKHORN CITY  
REHABILITATION AND NURSING CENTER F/K/A  
MOUNTAIN VIEW HEALTHCARE AND  
REHABILITATION CENTER, ET AL. v.  
HON. EDDY COLEMAN, JUDGE,  
PIKE CIRCUIT COURT, ET AL.

[2023-CA-0852-OA](#)

PIKE

**Entered: OCTOBER 10, 2023**

WILLIAM L. MILLS v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0904-MR](#)

BUTLER

**Entered: OCTOBER 09, 2023**

LAUREN CRAFT v.  
DYLAN CRAFT

[2022-CA-0901-MR](#)

KNOTT

**Entered: OCTOBER 11, 2023**

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

STEPHANIE KRAKLOW v.  
RYAN PACE

[2023-CA-0524-MR](#)

HOPKINS

Entered: OCTOBER 04, 2023

JOSHUA BAKER v.  
COMMONWEALTH OF KENTUCKY

[2022-CA-1289-MR](#)

KENTON

Entered: OCTOBER 04, 2023

JORDAN WEIS v.  
BELLARMINE UNIVERSITY, ET AL.

[2023-CA-0074-MR](#)

JEFFERSON

Entered: OCTOBER 05, 2023

JEFFREY ALLEN JONES v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0594-MR](#)

MARION

Entered: OCTOBER 05, 2023

STEPHEN D. PRICE v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0926-MR](#)

SCOTT

Entered: OCTOBER 05, 2023

**ORDERS DENYING PETITIONS FOR REHEARING**

ERIC JENKINS, ET AL. v.  
THE ESTATE OF MARIE GARMON, BY DAVID  
GARMON, ET AL.

[2020-CA-0173-MR](#)

ANDERSON

**AND**

THE ESTATE OF MARIE GARMON BY DAVID  
GARMON, ADMINISTRATOR, ET AL. v.  
MAGO CONSTRUCTION COMPANY, LLC, ET AL.

[2020-CA-0174-MR](#)

Entered: OCTOBER 06, 2023

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DENYING PETITIONS FOR REHEARING**

RODRICK JOHNSON, ET AL. v. [2022-CA-0372-MR](#) CAMPBELL  
NORTHERN KENTUCKY WATER DISTRICT,  
ET AL.

Entered: OCTOBER 04, 2023

HAL SNOWDEN, JR., D/B/A ROSE-GLADE FARM [2022-CA-0652-MR](#) JESSAMINE  
v.  
CITY OF WILMORE, KENTUCKY, ET AL.

Entered: OCTOBER 11, 2023

GREGGORY D. SEARS, ET AL. v. [2022-CA-0852-MR](#) CHRISTIAN  
ADDAM G. CLARK

Entered: OCTOBER 11, 2023

**ORDERS DENYING MOTIONS FOR DISCRETIONARY REVIEW**

CHRISTOPHER WATKINS v. [2023-CA-0579-D](#) CAMPBELL  
COMMONWEALTH OF KENTUCKY

Entered: OCTOBER 05, 2023

DAVID ZALEWSKI, ET AL. v. [2023-CA-0733-D](#) ALLEN  
COLDWELL BANKER LEGACY GROUP  
PROPERTY

Entered: OCTOBER 05, 2023

**ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS**

ELBERT PHILLIP LONG v. [2023-CA-0504-OA](#) FRANKLIN  
HON. THOMAS DAWSON WINGATE, JUDGE,  
FRANKLIN CIRCUIT COURT, ET AL.

Entered: OCTOBER 05, 2023

**KENTUCKY COURT OF APPEALS**

**OCTOBER 13, 2023 MINUTES**

**RELEASED: 10:00 A.M.**

**ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS**

MARCUS S. MINIX, SR. v. [2023-CA-0669-OA](#) FRANKLIN  
HON. THOMAS DAWSON WINGATE, JUDGE,  
FRANKLIN CIRCUIT COURT, ET AL.  
**Entered: OCTOBER 09, 2023**

**ORDERS DENYING PETITIONS FOR WRIT OF PROHIBITION**

BARBARA BURKE v. [2023-CA-0711-OA](#) ROCKCASTLE  
HON. DANIEL BALLOU, JUDGE,  
ROCKCASTLE CIRCUIT COURT, ET AL.  
**Entered: OCTOBER 09, 2023**

ERIC THOMAS MORROW v. [2023-CA-0890-OA](#) FAYETTE  
HON. TIFFANY YAHR, JUDGE,  
FAYETTE CIRCUIT COURT, ET AL.  
**Entered: OCTOBER 05, 2023**

**ORDER GRANTING PETITION FOR WRIT OF MANDAMUS**

RYAN TROXLER v. [2023-CA-0909-OA](#) GREENUP  
HON. BRIAN CHRISTOPHER MCCLOUD,  
JUDGE, GREENUP CIRCUIT COURT, ET AL.  
**Entered: OCTOBER 09, 2023**

**ORDER GRANTING PETITION FOR WRIT OF PROHIBITION**

LOUISVILLE PROSTHODONTIC SPECIALISTS, [2023-CA-0684-OA](#) JEFFERSON  
PLLC D/B/A RENEW INSTITUTE, ET AL. v.  
HON. BRIAN C. MCCLOUD, JUDGE,  
GREENUP CIRCUIT COURT, ET AL.  
**Entered: OCTOBER 10, 2023**

KENTUCKY COURT OF APPEALS

OCTOBER 13, 2023 MINUTES

RELEASED: 10:00 A.M.

**ORDERS AFFIRMING**

MICHAEL DENNISON v.  
JESSIE FERGUSON, WARDEN

[2023-CA-0760-ME](#)

OLDHAM

Entered: OCTOBER 05, 2023

RYLEE D. PIERCEFIELD v.  
KEVIN R. MAZZA, WARDEN

[2023-CA-0812-ME](#)

BOYLE

Entered: OCTOBER 05, 2023

ALEXANDER RUFF v.  
KEVIN R. MAZZA, WARDEN

[2023-CA-0976-ME](#)

BOYLE

Entered: OCTOBER 05, 2023

**ORDER DENYING MOTION FOR BELATED APPEAL**

TIMOTHY MADDEN v.  
COMMONWEALTH OF KENTUCKY

[2023-CA-0702-MR](#)

ALLEN

Entered: OCTOBER 05, 2023

**ORDER DENYING MOTION FOR INTERLOCUTORY RELIEF**

BUFFALO TRACE DISTILLERY, INC. v.  
DE'CARRDIO PEARSON, IN HIS INDIVIDUAL  
CAPACITY, ET AL.

[2023-CA-0776-I](#)

FRANKLIN

Entered: OCTOBER 05, 2023

**ORDER GRANTING MOTION FOR INTERLOCUTORY RELIEF**

PAMELA BLAIR v.  
SANCTUARY BLUFF HOMEOWNERS  
ASSOCIATION, INC., ET AL.

[2023-CA-0724-I](#)

JEFFERSON

Entered: OCTOBER 05, 2023