

# COURT OF APPEALS OF KENTUCKY

05/18/2007 AT 10:00 A.M.

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531	MCCLENDON (BEVERLY) VS. HODGES (JERRY R) OPINION AND ORDER DISMISSING CROSS- APPEAL TAYLOR (PRESIDING JUDGE) ABRAMSON (CONCURS) AND KNOPF (CONCURS) **RENDERED 05/11/2007**	2007-CA-0524-MR NOT TO BE PUBLISHED	MONROE
532	PING (STEPHEN), ET AL. VS. BAILEY MACHINERY MOVERS & FABRICATORS, INC. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) VANMETER (CONCURS) AND PAISLEY (CONCURS)	2005-CA-0954-MR NOT TO BE PUBLISHED	GARRARD
533	CLEARY (EVELYN STACY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING STUMBO (PRESIDING JUDGE) VANMETER (CONCURS) AND PAISLEY (CONCURS)	2005-CA-1919-MR NOT TO BE PUBLISHED	KNOTT
534	WILBURN (JON R.) VS. WILBURN (JENNIFER SCRIVNER) OPINION AFFIRMING AND REMANDING THOMPSON (PRESIDING JUDGE) WINE (CONCURS) AND KNOPF (CONCURS IN THE RESULT)	2005-CA-2032-MR NOT TO BE PUBLISHED	MADISON
535	BANKS (ARDELL) VS. TAGGART, JR (JOHN), ET AL. OPINION AFFIRMING IN PART AND VACATING IN PART PAISLEY (PRESIDING JUDGE) COMBS (CONCURS) AND WINE (CONCURS)	2005-CA-2134-MR NOT TO BE PUBLISHED	KENTON
536	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ET AL. VS. CLARK (DONALD A.), ET AL. OPINION AFFIRMING DIXON (PRESIDING JUDGE) ACREE (CONCURS) AND KELLER (CONCURS)	2005-CA-2144-MR NOT TO BE PUBLISHED	FAYETTE

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537	JIM HUFF REALTY, INC., ET AL. VS. TOMLIN PROPERTIES, LTD., ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND NICKELL (CONCURS)	2005-CA-2245-MR 2005-CA-2379-MR NOT TO BE PUBLISHED	BOONE
538	SMITH (RODNEY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2005-CA-2274-MR NOT TO BE PUBLISHED	JEFFERSON
539	SHELTON (SUNCIRAE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING PAISLEY (PRESIDING JUDGE) STUMBO (CONCURS) AND VANMETER (CONCURS)	2005-CA-2384-MR NOT TO BE PUBLISHED	GRAVES
540	LEACH (JAY DEE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2005-CA-2426-MR NOT TO BE PUBLISHED	JEFFERSON
541	MPM FINANCIAL GROUP, INC. VS. MORTON (MICHAEL P.) OPINION AFFIRMING PAISLEY (PRESIDING JUDGE) COMBS (CONCURS) AND WINE (DISSENTS AND FILES SEPARATE OPINION)	2005-CA-2539-MR TO BE PUBLISHED	FAYETTE
542	CADLE COMPANY VS. MMAPCO, LLC OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) ACREE (DISSENTS AND FILES SEPARATE OPINION) AND KELLER (CONCURS)	2005-CA-2611-MR NOT TO BE PUBLISHED	JEFFERSON

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543	WATSON, SR (THOMAS T.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-0133-MR NOT TO BE PUBLISHED	JEFFERSON
544	OVERSTREET (PHILIP D.) VS. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT OPINION AFFIRMING DIXON (PRESIDING JUDGE) ACREE (CONCURS) AND KELLER (CONCURS)	2006-CA-0280-MR NOT TO BE PUBLISHED	FAYETTE
545	PIKE COUNTY, KENTUCKY VS. BARTLEY (DENNIS), ET AL. OPINION AFFIRMING HENRY (PRESIDING JUDGE) WINE CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-0703-MR NOT TO BE PUBLISHED	PIKE
546	GARY (JAMES BEN) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING DIXON (PRESIDING JUDGE) THOMPSON (CONCURS) AND HENRY (CONCURS)	2006-CA-0715-MR NOT TO BE PUBLISHED	JEFFERSON
547	MCFARLAND (UZELL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) VANMETER (CONCURS) AND PAISLEY (CONCURS)	2006-CA-0835-MR NOT TO BE PUBLISHED	EDMONSON
548	T. G. VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION REVERSING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-1008-ME TO BE PUBLISHED	JEFFERSON

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549	KLING (JOSEPH EUGENE) VS. MCCCLAIN (THOMAS), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND EMBERTON (CONCURS)	2006-CA-1096-ME NOT TO BE PUBLISHED	ROWAN
550	HACK (JAMES) VS. BAKER (RAY), ET AL. OPINION REVERSING AND REMANDING DIXON (PRESIDING JUDGE) THOMPSON (CONCURS) AND HENRY (DISSENTS)	2006-CA-1100-MR TO BE PUBLISHED	JEFFERSON
551	MACDONALD (ARTHUR) VS. MACDONALD (EDGAR) OPINION AFFIRMING HENRY (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	2006-CA-1365-ME NOT TO BE PUBLISHED	JEFFERSON
552	STOCK (JANNA) VS. BAKER (STEVEN MATTHEW), ET AL. OPINION AFFIRMING PAISLEY (PRESIDING JUDGE) THOMPSON (CONCURS) AND VANMETER (CONCURS)	2006-CA-1466-ME NOT TO BE PUBLISHED	MCCRACKEN
553	P. R. VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) VANMETER (CONCURS) AND PAISLEY (CONCURS)	2006-CA-1728-ME NOT TO BE PUBLISHED	MERCER

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**ORDERS AFFIRMING:**

McGINNIS (GEORGE E.), JR.   2007-CA-0413-MR             LYON  
VS.  
PANCAKE (BECKY), WARDEN  
ENTERED: 05/15/07

PHILLIPS (JACK)   2007-CA-0695-MR             BRECKINRIDGE  
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COMMONWEALTH OF KENTUCKY  
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ORDWAY (LARRY R.) 2007-CA-0732-MR MORGAN
VS.
SHAKE (JAMES M.), JUDGE, ET AL
ENTERED: 05/15/07

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ORDERS DENYING BELATED APPEAL:

CARDONA (LESLIE L.) 2006-CA-2213-MR JEFFERSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/15/07

YORK (PHILLIP WAYNE) 2006-CA-0604-MR RUSSELL
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/14/07

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ORDERS DENYING DISCRETIONARY REVIEW:

CLONTZ (JAMES) 2006-CA-2140-DR JEFFERSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/15/07

WALLS (THOMAS A.) 2006-CA-2592-DR CALLOWAY
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/14/07

EITEL (MARY C.), ET AL 2006-CA-2660-DR JEFFERSON
VS.
COMMONWEALTH OF KENTUCKY, ET AL
ENTERED: 05/15/07

D.B., A CHILD UNDER EIGHTEEN 2007-CA-0195-DR SIMPSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/14/07

THORPE, JR. (ROBERT) 2007-CA-0017-DR NELSON
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COMMONWEALTH OF KENTUCKY
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ORDERS DENYING CR 76.36 RELIEF:

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FINANCE AND ADMINISTRATION CABINET 2007-CA-0395-OA CLAY
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HON. GENE CLARK, JUDGE
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ENTERED: 05/14/07

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ORDERS DENYING WRIT OF MANDAMUS:

FORD (JERMAINE) 2007-CA-0353-OA MUHLENBERG
VS.
HON DAVID H. JERNGAN, JUDGE
MUHLENBERG CIRCUIT COURT
AND
COMMONWEALTH OF KENTUCKY
ENTERED: 05/16/07

JUSTICE (CLINTON) 2007-CA-0183-OA PIKE
VS.
HON EDDY COLEMAN, JUDGE
PIKE CIRCUIT COURT
AND
COMMONWEALTH OF KENTUCKY
ENTERED: 05/16/07

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ORDERS DISMISSING:

CITIFINANCIAL MORTGAGE COMPANY, 2003-CA-01537-MR WOODFORD
INC., F/K/A ASSOCIATES FINANCIAL
SERVICES CORPORATION
VS.
COMMUNITY VENTURES CORPORATION
ENTERED: 05/14/07

SIMPSON (CHARLES L.) 2005-CA-0942-MR FRANKLIN
VS.
HARRIS (CANDACE T.)
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RATLIFF (KENNETH) VS. RATLIFF (FRANK) ENTERED 05/14/07	2005-CA-2254-MR	PIKE
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VACCARO (FRANK) VS. NOCHOLS (JODIE), ETC.; ET AL. ENTERED: 05/14/07	2006-CA-1431-MR	GREENUP
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PEARL EQUIPMENT CO., INC. VS. HARTFORD STANDARD STAMPING & PLATING CO., INC ENTERED: 05/14/07	2006-CA-1499-MR	OHIO
GITCH (DENNIS) VS. HUSSEY, D.O. (RUTH V.) ENTERED: 05/16/07	2006-CA-1556-MR	BOONE
BOWEN (JOSHUA) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/16/07	2006-CA-1653-MR	BELL
FIRST LINK DISCOUNT FOODS, INC. VS. KOCH EQUIPMENT, LLC ENTERED: 05/14/07	2006-CA-1668-OA	JEFFERSON

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NASH (ROBERT LEON) VS. NASH (SHARON ELIZABETH) ENTERED: 05/14/07	2006-CA-1820-MR	DAVIESS
MCLAUGHLIN (JOSEPH W.) VS. MCLAUGHLIN (LISA D.) ENTERED: 05/14/07	2006-CA-2005-MR	JEFFERSON
QUINT (AMANDA B.) VS. THE PARAGON AT WEST PARK, INC. ENTERED: 05/14/07	2006-CA-2192-MR	MCCRACKEN
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SMITH (DIANA) VS. MCCURDY (DENEZIA) INDIVIDUALLY; ET AL ENTERED: 05/14/07	2006-CA-2393-MR	MARSHALL
FLUKE CORPORATION VS. TRAVIS ARNETT; AND AMERICAN INTERSTATE INSURANCE CO. ENTERED: 05/14/07	2006-CA-2535-MR	PERRY
SELIGMAN (MICHAEL S.) VS. FISHER (JAMES H.) ENTERED 05/14/07	2006-CA-2545-MR	JEFFERSON



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BAUER (JENNIFER) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/16/07	2006-CA-2586-MR	BOYLE
FORBES (JANET) VS. LEISHMAN (ART) 05/14/07	2007-CA-0250-MR	JEFFERSON
STATE FARM MUTUAL INSURANCE CO. VS. SHIRLEY (BRIAN); ET AL. ENTERED: 05/14/07	2007-CA-0315-MR	BARREN
TILLMAN (BRIAN) VS. CITY OF WEST BUECHEL, KENTUCKY; AND RICK RICHARDS, MAYOR ENTERED: 05/14/07	2007-CA-0323	JEFFERSON
LAINHART (BRIAN) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/14/07	2007-CA-0403-MR	GARRARD
GUILLION (JOHN RICHARD) AND GUILLION (DEBRA K.) VS. GUILLION (JOHN KALEM) AND HORNSBY (JENNIFER LYNN)	2007-CA-434-ME	GALLATIN
GRIFFITH (SHAWN) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/14/07	2007-CA-0556-MR	BREATHITT
GRIFFITH (SHAWN) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/14/07	2007-CA-0557-MR	BREATHITT
GRIFFITH (SHAWN) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/14/07	2007-CA-0559-MR	BREATHITT

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THORNTON (RICHARD B.) VS. FARMERS BANK ENTERED: 05/16/07	2007-CA-0378-MR	BRECKINRIDGE
THORNTON (RICHARD) VS. FARMER'S BANK ENTERED: 05/16/07	2007-CA-379-MR	BRECKINRIDGE
HENSON (WILLIAM) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/15/07	2007-CA-0528-MR	SHELBY

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ORDERS FROM PREVIOUS WEEK ENDING MAY 11, 2007:

ORDERS DENYING MOTION FOR ADDITIONAL TIME TO FILE PETITION FOR REVIEW:

SARTIN ENTERPRISES, LLC VS. MAYNARD (WENDELL); ET AL ENTERED: 05/11/07	2007-CA-0623-WC	WORKERS COMPENSATION BOARD
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ORDERS DISMISSING:

CRUTCHER (CAROL) VS. NOEL (MELODY) ENTERED: 05/11/07	2006-CA-0637-MR	MONTGOMERY
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SHEPHERD (BILLY J.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/07	2006-CA-1300-MR	FLOYD
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SHEPHERD (BILLY J.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/07	2006-CA-1301-MR	FLOYD
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VARDEN (JOHN G.) ET AL VS. MOSS (JAMES) ENTERED: 05/11/07	2006-CA-1524-MR	FULTON
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SHEPHERD (BILLY J.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/07	2006-CA-1953-MR	FLOYD
BOYD (THOMAS M.) VS. LEXINGTON FAYETTE URBAN COUNTY GOVERMENT ENTERED 05/11/07	2006-CA-2099-MR	FAYETTE
WIGGINS (KATHY ANN) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/07	2006-CA-2169-MR	DAVIESS
MARLOW (GREGORY WAYNE) VS. GREEN (KENNETH); ET AL ENTERED: 05/11/07	2006-CA-2325-MR	OLDHAM
TIMPEX CORPORATION VS. NATIONAL CITY BANK OF KENTUCKY ENTERED: 05/11/07	2006-CA-2331-MR	OLDHAM
CULP (STEPHANIE DAWN) VS. CULP (DARYL KEITH) ENTERED: 05/11/07	2006-CA-2395-MR	MCCRACKEN
BRATCHER (JEFFREY G.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 05/11/07	2006-CA-2460-MR	OHIO
KEEYS (RONNIE); ET AL VS. FRONTIER HOUSING, INC.; ET AL ENTERED: 05/11/07	2006-CA-2513-MR	ROWAN

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SKINNER (NINA L.)  
VS.

2007-CA-0209-MR

KNOX

LEMASTER (CONNIE)  
ENTERED: 05/11/07

NATIONAL CASUALTY INSURANCE CO.  
VS.

2007-CA-0269-MR

JEFFERSON

FORD (JOHN), AS GUARDIAN OF  
DESMOND STONE; ET AL  
AND

2007-CA-450-MR

ACCEPTANCE INSURANCE CO.  
VS.

FORD (JOHN), AS GUARDIAN OF  
DESMOND STONE; ET AL

HENDERSON (ALDEAN)  
VS.

2007-CA-0361-MR

JEFFERSON

COMMONWEALTH OF KENTUCKY  
ENTERED: 05/11/07