

**SUPREME COURT OF KENTUCKY
ORAL ARGUMENT CALENDAR**

WEDNESDAY, APRIL 19, 2023

**10:00 a.m. MAURICE GASAWAY V. COMMONWEALTH OF KENTUCKY
(2021-SC-0457-DG)**

[APPELLANT'S BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)

Criminal Law. Parolees. Fourth Amendment. KRE 404(b). Inextricably Intertwined. Issues include: (1) whether a warrantless, suspicionless search of a parolee's vehicle is permitted under the Fourth Amendment and Section 10 of the Kentucky Constitution; (2) whether evidence found in the defendant's vehicle is admissible in the defendant's trial for possession of heroin, which was found inside his workplace; and (3) whether the admission of testimony describing what grainy security footage showed was harmless.

Oral Argument Granted: March 16, 2022
Trial Court(s): Hardin Circuit Court
Presiding Judge(s): Hon. Ken M. Howard

Counsel for Appellant,
Maurice Gasaway: Erin Hoffman Yang
Assistant Public Advocate

Counsel for Appellee,
Commonwealth of Kentucky: Daniel Cameron
Attorney General

Christopher Henry
Assistant Attorney General

ALL ARGUMENTS WILL BE STREAMED ONLINE AT

WWW.KET.ORG/SUPREMECOURT

WEDNESDAY, APRIL 19, 2023
(CONTINUED)

11:00 a.m. **JULINA M. WINLAND AND KEVIN LUCAS V. MYKAL L. RINGSTAFF**
(2022-SC-0421-DGE)

[APPELLANT'S BRIEF](#)
[APPELLEE BRIEF](#)
[REPLY BRIEF](#)

Family Law. Domestic Violence. Grandparents. Temporary Custody. Issues include: (1) whether subjecting children to filthy, unsanitary living conditions within a residence constitutes an act of domestic violence and abuse sufficient to support the issuance of a DVO; and (2) whether the circuit court properly awarded temporary custody of children to their grandfather, who filed domestic violence petitions on behalf of the children, as compared to the children's biological mother.

Oral Argument Granted:
Trial Court(s):
Presiding Judge(s):

December 20, 2022
Harlan Circuit Court
Hon. Kent Hendrickson

Counsel for Appellants,
Julina M. Winland &
Kevin Lucas:

Danny Lee Lunsford, Jr.
Howard Law Firm

Counsel for Appellee,
Mykal L. Ringstaff:

Otis Doan, Jr.
Otis Doan, Jr., P.S.C

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THURSDAY, APRIL 20, 2023

**10:00 a.m. ESTATE OF LAHOMA SALYER BRAMBLE, ET AL. V. GREENWICH
INSURANCE COMPANY
(2022-SC-0043-DG)**

APPELLANTS' BRIEF
APPELLEES' BRIEF
REPLY BRIEF

Property. Insurance. Mineral Rights. Trespass. Unfair Claims Settlement Practices Act. Settlement agreement. Issues include whether a third-party plaintiff must, before filing a claim under the Unfair Claims Settlement Practices Act, first file a declaratory judgment claim against a third-party insurer and proceed in such a way that the insurer has an immediate right to appeal a finding of coverage.

Thompson, J., not sitting.

Oral Argument Granted:
Trial Court(s):
Presiding Judge(s):

June 8, 2022
Magoffin Circuit Court
Hon. James W. Craft, II

Counsel for Appellants
*Estate of Lahoma Salyer
Bramble, et al.:*

M. Austin Mehr
Philip G. Fairbanks
*Mehr Fairbanks Trial
Lawyers, PLLC*

Counsel for Appellees
Greenwich Insurance Co.:

Mindy G. Barfield
Kyle R. Bunnell
Dinsmore & Shohl LLP

-and-

Susan L. Maines
*Casey Bailey & Maines,
PLLC*

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THURSDAY, APRIL 20, 2023
(CONTINUED)

11:00 a.m. **STATE FARM MUTUAL INSURANCE COMPANY V. HONORABLE BRIAN EDWARDS, JUDGE, JEFFERSON CIRCUIT COURT, ET AL. (2022-SC-0145-DG)**

APPELLANT BRIEF

APPELLEE BRIEF

REPLY BRIEF

AMICUS BRIEF (KENTUCKY DEFENSE COUNSEL, INC.)

AMICUS BRIEF (NATIONAL ASSOCIATION OF MUTUAL INSURANCE COMPANIES)

Writ of Prohibition. Discovery. Attorney-Client Privilege. Work-Product Doctrine. Oral Contract. Bad Faith. Issues include whether the Court of Appeals erred by denying an insurer's petition for a writ of mandamus which sought to prevent production of the insurer's claim file as part of discovery. The petition derives from a personal injury lawsuit wherein the plaintiff's entry into an oral settlement agreement with a claim representative of the insurer is asserted as a defense to claims made by the plaintiff in the underlying action, and the plaintiff has also made claims under the Kentucky Unfair Claims Settlement Practices Act, KRS 302.12-230.

Oral Argument Granted:

March 7, 2023

Trial Court(s):

Jefferson Circuit Court

Presiding Judge(s):

Hon. Brian Edwards

Counsel for Appellant,

*State Farm Mutual Automobile
Insurance Company.*

David T. Klapheke

*Boehl Stopher & Graves
LLP*

-and-

Katherine C. Yarger

Lehotsky Keller, LLP

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Counsel for Appellee/
Real Party in Interest,
Betty Irvin:

G. Adam Redden
Richard M. Breen
*Richard M. Breen Law
Offices, P.S.C.*

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