

**SUPREME COURT OF KENTUCKY**  
**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, FEBRUARY 12, 2025**

10:00 a.m. **TIMOTHY S. HART, MD P.S.C. D/B/A HART FAMILY CARE V.  
COMMONWEALTH OF KENTUCKY, KENTUCKY UNEMPLOYMENT  
INSURANCE COMMISSION, ET AL.  
(2023-SC-0117-DG)**

**[APPELLANT BRIEF](#)**  
**[APPELLEE BRIEF](#)**  
**[REPLY BRIEF](#)**

Administrative Law. Unemployment Benefits. Misconduct. Issues include whether a medical office terminated a receptionist for misconduct when: (1) the receptionist interrupted a conversation between the employer and the office manager regarding potential problems with the phone system; and (2) the receptionist gave a sarcastic response to the employer's confrontational question.

**Goodwine, J., not sitting.**

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Discretionary Review Granted:	August 16, 2023
Trial Court(s):	Boyd Circuit Court
Presiding Judge(s):	Hon. George Davis

Counsel for Appellant, <i>Timothy Hart, MD P.S.C.:</i>	Richard Martin Daniel Vincent <i>Martin, Wheeler &amp; Vincent, PSC</i>
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Counsel for Appellee, <i>Commonwealth of Kentucky, Kentucky Unemployment Insurance Commission:</i>	Bernadette Leveridge Sarah Ortkiese <i>Kentucky Education and Labor Cabinet</i>
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Counsel for Appellee, <i>Beth Hullett:</i>	Alexander Ward <i>Vanover Hall Bartley &amp; Ward PSC</i>
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**WEDNESDAY, FEBRUARY 12, 2025**

**(CONTINUED)**

**11:00 a.m. COMMONWEALTH OF KENTUCKY V. DARRYL ELLERY  
(2023-SC-0228-DG)**

**APPELLANT BRIEF**

**APPELLEE BRIEF**

**REPLY BRIEF**

Criminal Law. Probation Revocation. Jurisdiction. Fugitive Tolling Doctrine. Equity. Questions include whether the trial court lost jurisdiction when it failed to extend Ellery's probation at his first appearance after his warrant for failure to comply with the terms of his probation was served. The Commonwealth seeks application of the "Fugitive Tolling Doctrine" to toll the running of the probationary period while an individual is a fugitive from justice.

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Discretionary Review Granted: October 18, 2023  
Trial Court(s): Jefferson Circuit Court  
Presiding Judge(s): Hon. Audra Eckerle

Counsel for Appellant,  
*Commonwealth of Kentucky:* Christopher Henry  
*Office of the Attorney  
General*

*Counsel for Appellee,  
Darryl Ellery:* Joshua Reho  
*Department of Public  
Advocacy*

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**WEDNESDAY, FEBRUARY 12, 2025**  
**(CONTINUED)**

2:00 p.m. **G.G., ET AL. V. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL.**  
**(2024-SC-0143-DGE)**

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

Family Law. Joint Adoption. KRS 199.470. Unmarried Cohabitants. Issues include whether the adoption statutes permit an unmarried couple to jointly adopt a child.

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Discretionary Review Granted:	August 14, 2024
Trial Court(s):	Jackson Circuit Court
Presiding Judge(s):	Hon. Clint J. Harris

Counsel for Appellants G.S. & T.S.:	Marsha Taylor
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Counsel for Appellee, <i>Commonwealth of Kentucky, Cabinet for Health and Family Services:</i>	Juliana B. Coffey <i>Cabinet for Health and Family Services</i>
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**THURSDAY, FEBRUARY 13, 2025**

**10:00 a.m. BRANDON BLAIR V. COMMONWEALTH OF KENTUCKY  
(2023-SC-0296-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Criminal Law. Bail Jumping. KRS 520.070. Double Jeopardy. Issues include whether the defendant was properly charged with five counts of first-degree bail jumping when: (1) the defendant was charged with drug felonies in five separate cases; (2) the defendant was released on bond pending trial of the drug cases; (3) the circuit court scheduled all five drug cases for a single combined hearing; and (4) the defendant failed to appear for the single combined hearing.

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Discretionary Review Granted:	December 6, 2023
Trial Court(s):	Johnson Circuit Court
Presiding Judge(s):	Hon. John David Preston

Counsel for Appellant, <i>Brandon Blair:</i>	Jennifer Wade <i>Department of Public Advocacy</i>
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Counsel for Appellee, <i>Commonwealth of Kentucky:</i>	Kristin Conder <i>Office of the Attorney General</i>
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**THURSDAY, FEBRUARY 13, 2025**  
**(CONTINUED)**

11:00 a.m. **BOARD OF EDUCATION OF PARIS, KENTUCKY V. JASON  
EARLYWINE  
(2023-SC-0142-DG)**

**AND**

**JASON EARLYWINE V. BOARD OF EDUCATION OF PARIS,  
KENTUCKY  
(2023-SC-0383-DG)**

**APPELLANT BRIEF**  
**COMBINED APPELLEE RESPONSE/CROSS-APPELLANT BRIEF**  
**COMBINED REPLY/CROSS-APPELLEE RESPONSE BRIEF**

Contracts. Education Law. Sovereign Immunity. KRS 45A.245. Questions include: (1) whether a teacher may sue a school board for breach of contract or if, instead, the school board is immune from suit; (2) whether such a suit, if allowed, must be brought in Franklin Circuit Court; and (3) whether the Court of Appeals' application of KRS Chapter 161 was proper at this venture or, rather, the issues on appeal should have been limited to questions concerning immunity.

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Discretionary Review Granted:  
Cross-Motion for Discretionary  
Review Granted:

August 16, 2023

January 10, 2024

Trial Court(s):  
Presiding Judge(s):

Franklin Circuit Court  
Hon. Phillip J. Shepherd

Counsel for Appellant/Cross-Appellee  
*Board of Education of  
Paris, Kentucky:*

Jonathan Shaw  
Grant Chenoweth  
Porter Banks Baldwin &  
Shaw, PLLC

*Counsel for Appellee/Cross-Appellant,  
Jason Earlywine:*

Tyler Z. Korus  
Robert L. Roark  
Roark & Korus, PLLC

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