

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, JUNE 5, 2019**

- 9:00 a.m. DONNA KRIEGER, ET AL. V. TAMARA D. GARVIN, ET AL. (2018-SC-000154-DGE)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
"Child Custody. De Facto Custodians. At issue is the propriety of awarding "de facto" custodian status to an unmarried couple."  
Discretionary Review granted 6/6/2018  
Jefferson Circuit Court, Judge Deborah Deweese  
Attorney for Appellants: Jacqueline M. Caldwell  
Attorney for Tamara Garvin: Ray H. Stoess, Jr.  
**(Lambert, J., recused)**
- 10:00 a.m. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. V K. S., MOTHER (2018-SC-000523-DGE)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
"Termination of Parental Rights. Risk of Neglect. Issues involve the sufficiency of the evidence of risk of harm as a basis for neglect or abuse supporting termination of parental rights."  
Discretionary Review granted 2/7/2019  
Kenton Circuit Court, Judge Dawn M. Gentry  
Attorney for Commonwealth of Kentucky, Cabinet for Health and Family Services: Abigail Voelker  
Attorney for A. W. S., a child: James Richard Scott  
Attorney for Appellee: George Andrew Thompson
- 11:00 a.m. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES V. H. C., ET AL (2018-SC-000534-DGE)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
"Dependency, Neglect or Abuse. Expert Witness Funding. Issues include the propriety of funding expert witnesses as sought by indigent parents in dependency/neglect/abuse proceedings involving their children."  
Discretionary Review granted 2/7/2019  
Harrison Circuit Court, Judge Heather Fryman  
Attorneys for Appellant: Mark Stephen Pitt, Johann Frederick Herklotz, Stephen Chad Meredith, Matthew Kleinert and Matthew Kuhn  
Attorney for H.C.: Joshua Andrew Kelly McWilliams  
Attorney for L.E., a child: Todd Kirt Kellett

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, JUNE 6, 2019**

- 9:00 a.m. DONALD G. ADAMS V. COMMONWEALTH OF KENTUCKY  
(2017-SC-000599-DG)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
"Criminal Law. Expungement. KRS 431.073. Whether a defendant's Class D felony convictions qualify for expungement as a "single incident" under KRS 431.073 when: (1) the defendant was convicted on four counts of theft by unlawful taking; (2) all four theft counts were charged in a single indictment; (3) the thefts occurred over a six-month period; and (4) all four thefts involved the same victim and the same type of property."  
Discretionary Review granted 6/6/2018  
Daviness Circuit Court, Judge Joseph W. Castlen, III  
Attorney for Appellant: Marty G. Jacobs  
Attorneys for Appellee: Andy Beshear, John Paul Varo and James Patrick Judge  
(Lambert, J., recused)
- 10:00 a.m. RICHARD A. GETTY, ET AL. V. BRENDA SUE BRIDGES GETTY, ET AL.  
(2018-SC-000111-DG)**  
[APPELLANT BRIEF](#)  
[APPELLEE BRIEF](#)  
[REPLY BRIEF](#)  
"Testamentary Capacity. Undue Influence. Directed Verdict. Misappropriation of Marital Property. Contempt. Whether there was sufficient evidence of lack of testamentary capacity and undue influence to overcome a motion for directed verdict. Also, whether the surviving spouse may be liable for misappropriation of marital property before and/or after the death of her husband. Also, was there a basis for holding the surviving spouse and her counsel in contempt of court for proceeding with cremation of the body of the deceased?"  
Discretionary Review granted 6/6/2018  
Bourbon Circuit Court, Judge Robert McGinnis  
Attorneys for Appellants: John W. Bilby, William M. Lear, Jr. and Lucy Anne VanMeter  
Attorneys for Appellees: Mark L. Moseley, Leslie Patterson Vose, Erin Celeste Sammons and Gregory Jackson  
(VanMeter, J., recused)
- 11:00 a.m. UNIVERSITY OF KENTUCKY, A/K/A UK HEALTHCARE, ET AL. V. SARAH R. MOORE, ET AL. (2018-SC-000193-TG) AND COMMONWEALTH OF KENTUCKY, DEPARTMENT OF REVENUE, ET AL. V. SARAH R. MOORE (2018-SC-000194-TG)**  
[APPELLANT BRIEF](#)

APPELLEE BRIEF  
REPLY BRIEF  
APPELLANT BRIEF  
APPELLEE BRIEF  
REPLY BRIEF

"Collection of accounts owed to the University of Kentucky hospital. Referral to the Department of Revenue. KRS 45.237 et seq. and KRS 45.241."

Fayette Circuit Court, Judge John E. Reynolds

Attorneys for University of Kentucky, A/K/A UK Healthcare and Mark F.

Newman, in his official capacity as Executive Vice President for Health Affairs, University of Kentucky: Kevin G. Henry, William Thro, Bryan Howard Beauman and Joshua Michael Salsburey

Attorneys for Sarah R. Moore: William L. Davis and E. Douglas Richards

Attorneys for Commonwealth of Kentucky, Department of Revenue and Daniel P. Bork, in his official capacity as Commissioner of the Kentucky Department of Revenue: Mark Stephen Pitt, Frank L. Dempsey, Raymond Campbell Connell, Stephen Chad Meredith and Matthew Kuhn