

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

**WEDNESDAY, JUNE 11, 2025**

**10:00 a.m. DOUGLAS HODGE V. KENTUCKY PAROLE BOARD  
(2023-SC-0091-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

**AND**

**KENTUCKY PAROLE BOARD V. TIMOTHY SHANE  
(2023-SC-0364-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Criminal Law. Parole revocation. Kentucky Parole Board. Administrative Law Judge. Due Process. Issues presented include whether inmates' due process rights were violated when relevant hearings concerning parole revocation were held before an Administrative Law Judge (rather than by the Parole Board). Other issues include whether KRS 439.440 mandates the Parole Board conduct the final revocation hearing.

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Discretionary Review Granted: December 6, 2023

Trial Court(s): Kenton Circuit Court  
&  
Franklin Circuit Court

Presiding Judge(s): Hon. Gregory M. Bartlett  
&  
Hon. Phillip J. Shepherd

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**WEDNESDAY, JUNE 11, 2025**  
**(CONTINUED)**

Counsel for *Douglas Hodge &*  
*Timothy Shane:*

Timothy Arnold  
*Department of*  
*Public Advocacy*

&

Joshua Bolus  
*Department of*  
*Public Advocacy*

Counsel for *Kentucky*  
*Parole Board:*

*Angela T. Dunham*  
Edward Baylous, II  
*Justice & Public Safety*  
*Cabinet*

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**WEDNESDAY, JUNE 11, 2025**  
**(CONTINUED)**

11:00 a.m. **RAIANTEZ SHACKLES V. COMMONWEALTH OF KENTUCKY**  
**(2022-SC-0560-MR)**

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

Self-Defense Instruction. Hearsay. Unanimity. Issues presented, among others, include: (1) whether there was sufficient evidence to warrant a self-defense instruction; (2) whether the lead detective's testimony that a phone found at the scene belonged to defendant, based upon a phone number from a police report, was impermissible hearsay and violated defendant's rights under the Confrontation Clause; (3) whether the trial court erred when it permitted a crime victim to testify to safety concerns based on jailhouse phone calls defendant made after the charged offenses; and (4) whether defendant's penalty verdict and persistent felony offender convictions lacked unanimity because the trial court failed to give a written unanimous jury instruction.

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Designated for Oral Argument: May 12, 2025

Trial Court(s): Jefferson Circuit Court

Presiding Judge(s): Hon. Mitchell Perry

Counsel for Appellant,  
*Raiantez Shackles:*

Christopher Thurman  
*Department of Public  
Advocacy*

Counsel for Appellant,  
*Commonwealth of  
Kentucky:*

Bryan Morrow  
Jenny Lynn Sanders  
*Office of the Attorney  
General*

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WEDNESDAY, JUNE 11, 2025  
(CONTINUED)

**Oral Argument Cancelled**

~~1:30 p.m. IOLA CAPITAL, LLC V. LOUISVILLE GAS AND ELECTRIC COMPANY  
(2023-SC-0216-DG)~~

~~AND~~

~~MARILYN RUMMAGE MUERDTER, ET AL. V. LOUISVILLE GAS AND  
ELECTRIC COMPANY  
(2023-SC-0234-DG)~~

~~2023-SC-0216-DG  
APPELLANT BRIEF  
APPELLEE BRIEF  
REPLY BRIEF  
AMICUS BRIEF (ISAAC W. BERHEIMN FOUNDATION)~~

~~2023-SC-0234-DG  
APPELLANT BRIEF  
APPELLEE BRIEF  
AMICUS BRIEF (ISAAC W. BERHEIMN FOUNDATION)~~

~~Property. Eminent Domain. Right to Take. Public Use. Issues presented  
include whether LG&E can use eminent domain to take private property for  
construction of a gas line that, according to the property owners, will primarily  
benefit a private business and only marginally benefit the citizens of Bullitt  
County.~~

~~**Goodwine, Thompson, JJ., not sitting. Special Justice Michael Coyle  
and Special Justice Bill Hurt sitting.**~~

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Discretionary Review Granted: September 20, 2023

Trial Court(s): Bullitt Circuit Court

Presiding Judge(s): Hon. Rodney Burress

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**WEDNESDAY, JUNE 11, 2025**  
**(CONTINUED)**

Counsel for Appellants,  
*IOLA Capital, LLC &*  
*Marilyn Rummage*  
*Muerdter, et al.:*

John Cox  
*Petersen Thomas*  
*Lynch Cox Gillman*  
*& Goodman PSC*

Counsel for Appellee,  
*Louisville Gas and*  
*Electric Company:*

Steven Loy  
Monica Braun  
Mary Wimberly  
*Stoll Keenon Ogden*  
*PLLC*

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**THURSDAY, JUNE 12, 2025**

**10:00 a.m. LEXINGTON ALZHEIMER'S INVESTORS, LLC D/B/A THE LANTERN AT MORNING POINTE ALZHEIMER'S CENTER OF EXCELLENCE, ET AL. V. SANDRA NORRIS, AS ADMINISTRATRIX OF THE ESTATE OF RAYFORD CHARLES NORRIS (2023-SC-0510-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Contract. Arbitration. Nursing Homes. Healthcare Surrogate. KRS 311.631. Issues presented include whether a nursing home admittee's statutory healthcare surrogate can execute a binding arbitration agreement on behalf of the admittee when execution of the agreement is a mandatory condition of admission to the nursing home.

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

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Discretionary Review Granted: April 12, 2024

Trial Court(s): Fayette Circuit Court

Presiding Judge(s): Hon. Kimberly Bunnell

Counsel for Appellants,  
*Lexington Alzheimer's  
Investors, LLC D/B/A  
The Lantern at Morning  
Pointe Alzheimer's Center  
Of Excellence, et al.:*

Paul Dzenitis  
Tomsen Leonard  
Emily Newman  
*Dzenitis Newman PLLC*

Counsel for Appellee,  
*Sandra Norris, as  
Administratrix of the  
Estate of Rayford  
Charles Norris:*

Tyler S. Stewart  
*Gardner Law PLLC*

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**THURSDAY, JUNE 12, 2025**  
**(CONTINUED)**

11:00 a.m. **COMMONWEALTH OF KENTUCKY V. DARRELL STRUNK**  
**(2023-SC-0518-DG)**

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

Criminal Law. Post-Conviction. CR 60.02. Illegal Sentence. Plea Agreements. Remedies. Preservation. Issues presented include whether the Court of Appeals erred by vacating the portion of the defendant's sentence that exceeds the statutory maximum when: (1) the defendant's convictions and illegal sentence resulted from a plea agreement under which the Commonwealth agreed to dismiss and reduce charges; (2) this Court's opinion in *McClanahan v. Commonwealth*, 308 S.W.3d 694 (Ky. 2010) provides that the proper remedy under similar facts is to set aside the plea agreement, reinstate the original charges, and allow the defendant and Commonwealth to restart the case in circuit court; (3) throughout the post-conviction proceedings, the defendant insisted that he did not want to set aside his plea and wished to vacate the excess portion of his sentence; and (4) the Commonwealth did not request the remedy provided by *McClanahan* until it petitioned for rehearing in the Court of Appeals.

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Discretionary Review Granted: April 12, 2024

Trial Court(s): Fayette Circuit Court

Presiding Judge(s): Hon. Kimberly Bunnell

Counsel for Appellants,  
*Commonwealth of*  
*Kentucky:*

Melissa Pile  
*Office of the Attorney*  
*General*

Counsel for Appellee,  
*Darrell Strunk:*

John Landon  
*Landon Law PLLC*

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