

**SUPREME COURT OF KENTUCKY  
ORAL ARGUMENT CALENDAR**

**WEDNESDAY, OCTOBER 18, 2023**

**10:00 a.m. JOSHUA AUSTIN WARD V. COMMONWEALTH OF KENTUCKY  
(2021-SC-0568-MR)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

**[APPELLANT'S SUPPLEMENTAL BRIEF](#)**

**[APPELLEE'S SUPPLEMENTAL BRIEF](#)**

Criminal Law. Expert Testimony. Ballistics. Issues presented include reexamination of this Court's holding in *Garrett v. Commonwealth*, 534 S.W.3d 217 (Ky. 2017), as that case relates to the admission of toolmark identification testimony, specifically whether experts may testify that a bullet casing is a "match" considering subsequent scientific developments.

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Oral Argument Granted:

July 11, 2023

Trial Court(s):

Boone Circuit Court

Presiding Judge(s):

Hon. Richard A. Brueggemann

Counsel for Appellant,

*Joshua Austin Ward:*

Shannon Dupree

Kayley V. Barnes

*Department of Public  
Advocacy*

Counsel for Appellee,

*Commonwealth of Kentucky:*

Daniel Cameron

*Attorney General*

Harrison Gray Kilgore

*Assistant Solicitor General*

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**WEDNESDAY, OCTOBER 18, 2023**

**CONTINUED**

**11:00 a.m. ERIC BERRY V. COMMONWEALTH OF KENTUCKY  
(2022-SC-0181-MR)**

**APPELLANT BRIEF**  
**APPELLEE BRIEF**  
**REPLY BRIEF**

Criminal Law. Sixth Amendment. Speedy Trial. Kentucky Constitution. KRE 404(b). Character evidence. RCr 10.26. Jury instructions for abuse of discretion. KRE 804. Issues presented include: (1) whether the trial court erred in not dismissing the case for a speedy trial violation; (2) whether the trial court erred in not severing the indictment from a later incident; (3) without improper vouching/bolstering by witness, there would have been a greater chance the jury would have acquitted; (4) whether the trial court erred in not giving intoxication instructions to the jury; and (5) whether the trial court erred in not allowing defendant's former testimony.

**Bisig, J., not sitting.**

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Oral Argument Granted:	August 25, 2022
Trial Court(s):	Jefferson Circuit Court
Presiding Judge(s):	Hon. Angela McCormick Bisig

Counsel for Appellant, <i>Eric Berry:</i>	Robert C. Yang <i>Department of Public Advocacy</i>
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Counsel for Appellee, <i>Commonwealth of Kentucky:</i>	Daniel Cameron <i>Attorney General</i>
	Joseph A. Beckett <i>Assistant Attorney General</i>

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**THURSDAY, OCTOBER 19, 2023**

**10:00 a.m. COMMONWEALTH OF KENTUCKY V. PARADISE BURKHEAD  
(2022-SC-0304-DG)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[REPLY BRIEF](#)**

Juvenile Law. Criminal Law. Transfer Hearing. KRS 625.020. Amended Statute. Retroactivity. KRS 446.110. Appeals. KRS 22A.020(4). Issues include: (1) whether the circuit court erred by remanding a juvenile defendant's case to district court for a second transfer hearing following the amendment of the transfer statute; and (2) whether the Commonwealth may pursue an interlocutory appeal under KRS 22A.020(4) to challenge a circuit court's order remanding a juvenile's case to district court.

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Oral Argument Granted:

December 7, 2022

Trial Court(s):

Jefferson Circuit Court

Presiding Judge(s):

Hon. Barry Willett

Counsel for Appellant,

*Commonwealth of Kentucky.:*

Daniel Cameron

*Attorney General*

Matthew Franklin Kuhn

*Solicitor General*

Daniel John Grabowski

*Assistant Solicitor General*

Jason Bradley Moore

*Special Assistant Attorney  
General*

*Counsel for Appellee,*

*Paradise Burkhead:*

Joseph Robinson Eggert

Tricia Frances Lister

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**THURSDAY, OCTOBER 19, 2023**  
**(CONTINUED)**

11:00 a.m. LINDA THOMPSON, ET AL. V. SAMANTHA KILLARY  
(2022-SC-0308-DG)

**APPELLANT BRIEF (LOUISVILLE/JEFFERSON COUNTY METRO  
GOVERNMENT)**

**APPELLANT BRIEF (LINDA THOMPSON AND RICK JACKMAN)**

**APPELLEE BRIEF**

**REPLY BRIEF (LOUISVILLE/JEFFERSON COUNTY METRO  
GOVERNMENT)**

**REPLY BRIEF (LINDA THOMPSON AND RICK JACKMAN)**

**AMICUS BRIEF (CHILD USA)**

**AMICUS BRIEF (KENTUCKY JUSTICE ASSOCIATION)**

**AMICUS BRIEF (SOUTHERN BAPTIST CONVENTION, ET AL.)**

**AMICUS BRIEF (AMERICAN ASSOCIATION FOR JUSTICE)**

Civil Recovery. Childhood Sexual Abuse. Statute of Limitations. KRS 413.249. Retroactivity. Issues include whether a statutory amendment may be applied retroactively to extend an already-expired statute of limitations.

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Oral Argument Granted:	August 25, 2023
Trial Court(s):	Jefferson Circuit Court
Presiding Judge(s):	Hon. A.C. McKay Chauvin

Counsel for Appellant, <i>Linda Thompson:</i>	Carol S. Pettitt Adam Earl Fuller <i>Vaughn Pettitt Legal Group, PLLC</i>
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<i>Rick Jackman:</i>	Kent Wicker William H. Brammell, Jr. Kayla M. Campbell <i>Wicker / Brammell PLLC</i>
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*City of Louisville/Jefferson  
County Metro Government:*

Kathryn Meador  
Kristie Walker  
*Jefferson County Attorney's  
Office*

*Counsel for Appellees,  
Samantha Killary:*

Tad Thomas  
Lindsay Lopez  
*Thomas Law Offices, PLLC*

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