

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, SEPTEMBER 16, 2020**

**9:30 a.m. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES V. K. S., ET AL. (2019-SC-0692-DGE)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Dependency, Neglect and Abuse. Due Process. KRS 31.110(1)(b). Funding for Expert Assistance. The issue in this matter is whether due process requires expert assistance be provided to indigent parties in dependency, neglect and abuse cases.

Discretionary Review granted: 3/18/20

Calloway Circuit Court, Judge Robert D. Mattingly, Jr.

Attorneys for Appellant: Tiffany L. Yahr

Attorneys for Appellees: John M. Alderdice, Casey J. Naber, Amy R. Roos

~~**11:00 a.m. SHAYNE BLACKABY V. NANCY BARNES (2020-SC-0004-DGE)**~~

~~[APPELLANT BRIEF](#)~~

~~[APPELLEE BRIEF](#)~~

~~[REPLY BRIEF](#)~~

~~Family Law. Grandparent Visitation. KRS 405.021. Issues include whether, under circumstances involving a maternal grandmother's adoption of a child which was being contested by the father at the time of his death, the Court should extend the stepparent adoption exception carved out in *Hicks v. Enlow*, 764 S.W.2d 68 (Ky. 1989).~~

~~Discretionary Review granted: 4/23/20~~

~~Shelby Circuit Court, Judge S. Marie Hellard~~

~~Attorneys for Appellant: Joseph P. Bowman~~

~~Attorneys for Appellee: Patrick F. Graney~~

~~**CANCELED – ARGUMENT TO BE RESCHEDULED**~~

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**THURSDAY, SEPTEMBER 17, 2020**

**10:00 a.m. HON. ANDREW BESHEAR, IN HIS OFFICIAL CAPACITY AS GOVERNOR, ET AL. V. HON. GLENN E. ACREE, JUDGE, ET AL. (2020-SC-0313-OA)**

**[APPELLANT BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[APPELLEE BRIEF](#)**

**[AMICUS CURAE BRIEF](#)**

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

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

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

Injunctive Relief. Emergency Powers. Issues include the Governor's authority to issue orders pursuant to KRS Chapter 39A.

Court of Appeals, Judge Glenn E. Acree

Boone Circuit Court, Judge Richard A. Brueggemann

Attorneys for Appellant: S. Travis Mayo, La Tasha A. Buckner, Samuel R.

Flynn, Joseph A. Newberg, Taylor A. Payne, Laura C. Tipton, Wesley W.

Duke, David T. Lovely

Attorneys for Appellees: Daniel Cameron, Heather L. Becker, Barry L. Dunn,

Marc E. Manley, S. Chad Meredith, Brett R. Nolan, Aaron J. Siletto,

Christopher D. Wiest

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**FRIDAY, SEPTEMBER 18, 2020**

9:30 a.m. **CLIFFORD RUSSELL SR., ET AL. V. JOHNSON & JOHNSON, INC.,  
ET AL. (2019-SC-0118-DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Torts. Products Liability. Issues involve whether state law tort claims concerning Class III investigational medical devices are preempted by federal law. How did Riegel v. Medtronic, 552 U.S. 312 (2008) impact Niehoff v. Surgidev Corporation, 950 S.W.2d 816 (Ky. 1997)?

Discretionary Review granted: 9/18/2019

Fayette Circuit Court, Judge James D. Ishmael, Jr.

Attorneys for Appellants: Kevin C. Burke, Anne L. Gilday, Jennifer L. Lawrence, Jamie K. Neal

Attorneys for Appellees: Lori E. Hammond, James F. Murdica, Charles M. Pritchett, Jr., Jason P. Renzelmann, David T. Klapheke

**NICKELL, J., NOT SITTING.**

11:00 a.m. **JUNE BLOCKER V. JANET CONOVER, WARDEN OF THE KENTUCKY  
CORRECTIONAL INSTITUTION FOR WOMEN, ET AL. (2019-SC-0247-  
DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

Inmate Discipline. Inmate Medical Treatment. Due Process. Issues include whether a prison may fail to provide appropriate medication to an inmate which it has classified as having a “serious mental illness” and then charge them with offenses or punish them for behavior arguably related to the failure to properly medicate them for their “serious mental illness.”

Discretionary Review granted: 9/18/2019

Shelby Circuit Court, Judge Charles R. Hickman

Attorneys for Appellant: Samuel N. Potter

Attorneys for Appellees: Angela E. Cordery

**NICKELL, J., NOT SITTING.**