

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

29. GARNETT GIBSON (AS EXECUTOR AND PERSONAL REPRESENTATIVE OF THE ESTATE OF TOPSIE GIBSON) V. FUEL TRANSPORT, INC. [2010-SC-000072-DG](#) KNOTT
TO BE PUBLISHED
- AND**
FUEL TRANSPORT, INC. V. GARNETT GIBSON (AS EXECUTOR AND PERSONAL REPRESENTATIVE OF THE ESTATE OF TOPSIE GIBSON) [2010-SC-000682-DG](#) KNOTT
TO BE PUBLISHED
- OPINION OF THE COURT BY JUSTICE CUNNINGHAM – AFFIRMING**
MINTON, C.J.; ABRAMSON, CUNNINGHAM, NOBLE, VENTERS AND SCOTT, JJ., SITTING. ALL CONCUR.

Questions Presented:

Negligence. Personal Injury. Damages. This case involves a collision between a car and a coal truck. The issues include: 1. Whether punitive damages are available; 2. Whether the damages awarded by the jury were excessive; 3. Whether juror misconduct warrants a new trial; 4. Whether the trial court gave erroneous jury instructions and the objections to these instructions were not waived; 5. Whether the trial court erred by failing to change venue; 6. Whether a party has waived the right to challenge errors related to compensatory damages, and 6. Whether the trial court erred by awarding post-judgment interest at 12%.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

30. COMMONWEALTH OF KENTUCKY V. [2011-SC-000118-DG](#) MADISON
DEONTE SIMMONS
TO BE PUBLISHED

**OPINION OF THE COURT BY
JUSTICE ABRAMSON –
AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.

Questions Presented:
First degree trafficking in a controlled substance and PFO II - 15 years. Fundamental right to a jury trial includes the fundamental right to a twelve-person jury. The right may be waived only if it appears on the record that the defendant personally opted to proceed with a depleted petit jury and did so knowingly and voluntarily; counsel's stipulation to a depleted panel does not effectuate the waiver. This case is remanded for an evidentiary hearing to determine if the defendant's apparent acquiescence to his counsel's stipulation constitutes a valid knowing and voluntary waiver of the depleted jury issue.

31. CHARLES W. NUNLEY, II V. [2011-SC-000331-MR](#) MARION
COMMONWEALTH OF KENTUCKY
TO BE PUBLISHED

**OPINION OF THE COURT BY
JUSTICE NOBLE –
AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.

Questions Presented:
Three counts of sodomy-20 years. Mid-trial discovery of victim's counseling did not violate *Brady* nor did it entitle defendant to a mistrial. Trial court did not err in designating the questionable juror as an alternate and excusing him from deliberating in the case.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

32. COMMONWEALTH OF KENTUCKY V. [2011-SC-000403-DG](#) FAYETTE
DANNY LEE OUSLEY
TO BE PUBLISHED

**OPINION OF THE COURT BY
JUSTICE NOBLE –
AFFIRMING**

MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. MINTON, C.J.;
ABRAMSON, NOBLE AND SCOTT, JJ.,
CONCUR. CUNNINGHAM, J.,
CONCURS IN RESULT BY
SEPARATE OPINION IN WHICH
VENTERS, J., JOINS. VENTERS, J.,
ALSO CONCURS IN RESULT BY
SEPARATE OPINION IN WHICH
CUNNINGHAM, J., JOINS.

Questions Presented:
Criminal Law. Search and Seizure.
Garbage. The issue is when a police officer
may lawfully seize and search a suspect's
trash.

33. NEWELL STACY V. [2012-SC-000065-MR](#) BOYLE
COMMONWEALTH OF KENTUCKY
TO BE PUBLISHED

**OPINION OF THE COURT BY
JUSTICE SCOTT –
AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. MINTON, C.J.;
ABRAMSON, NOBLE, AND VENTERS,
JJ., CONCUR. CUNNINGHAM, J.,
CONCURS IN RESULT BY
SEPARATE OPINION.

Questions Presented:
First degree riot and PFO I - 20 years.
Replaying witness testimony outside of the
presence of the defendant did not constitute
palpable error. Right to effective assistance
of counsel was not violated. RCr 8.30.
Right to speedy trial was not violated. The
practice of forcing a criminal defendant's
witness to appear in prison garb can be an
intrinsically prejudicial practice that infringes
on the defendant's right to a fair trial and
necessitates a hearing by the trial court. In
this case, concerning alleged prison crimes
involving multiple witnesses, the defendant
suffered no manifest injustice by his
witnesses appearing in shackles and prison
garb.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

34. GABRIELLA SIMONE ALLEN V. [2010-SC-000353-DG](#) JEFFERSON
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE NOBLE –
REVERSING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. CUNNINGHAM,
NOBLE, SCOTT AND VENTERS,
JJ., CONCUR. MINTON, C.J.;
CONCURS IN RESULT BY
SEPARATE OPINION IN WHICH
ABRAMSON, J., JOINS.
- TO BE PUBLISHED**
- Questions Presented:**
Perjury-for lying in a criminal complaint-
and Theft by Deception-for obtaining the
discharge of a vehicle loan by lying to the
finance company about whether her name
had been forged on the loan documents.
KRE 608(b)-cross-examination about prior
convictions for dishonest acts.

35. HARLIE LEWIS V. [2011-SC-000395-DG](#) JEFFERSON
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE CUNNINGHAM –
REVERSING AND REMANDING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
- TO BE PUBLISHED**
- Questions Presented:**
Criminal Law. Burglary. Jury Instructions.
Issues include interpretation of KRS
511.090(2) "entering or remaining
unlawfully in a building" and whether the
jury was properly instructed on the definition
of "deadly weapon."

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

36. UNINSURED EMPLOYERS' FUND V. MATTHEW STANFORD; U.S. ARMY CADET CORPS, INC.; BLUEGRASS AREA DEVELOPMENT DISTRICT; HONORABLE CHRIS DAVIS, ADMINISTRATIVE LAW JUDGE; AND WORKERS' COMPENSATION BOARD **AND** U.S. ARMY CADET CORPS, INC. V. MATTHEW STANFORD; BLUEGRASS AREA DEVELOPMENT; UNINSURED EMPLOYERS' FUND; HONORABLE CHRIS DAVIS, ADMINISTRATIVE LAW JUDGE; AND WORKERS' COMPENSATION BOARD **OPINION OF THE COURT REVERSING AND REMANDING** MINTON, C.J.; ABRAMSON, CUNNINGHAM, NOBLE, SCOTT AND VENTERS, JJ., SITTING. ALL CONCUR.
- [2011-SC-000651-WC](#)
TO BE PUBLISHED
- FROM COURT OF APPEALS
- [2011-SC-000652-WC](#)
TO BE PUBLISHED
- FROM COURT OF APPEALS
- Questions Presented:**
Workers' Compensation. Issues presented in this case include whether an appeal filed after an improperly filed second petition for reconsideration is timely; and whether the loaned servant doctrine can be applied to a matter in which a statutorily created entity hired an employee for the purpose of working for a different entity.

37. CLAYTON JACKSON V. COMMONWEALTH OF KENTUCKY **OPINION OF THE COURT BY JUSTICE SCOTT – REVERSING, VACATING AND REMANDING** MINTON, C.J.; ABRAMSON, CUNNINGHAM, NOBLE, SCOTT AND VENTERS, JJ., SITTING. MINTON, C.J.; ABRAMSON, NOBLE AND VENTERS, JJ., CONCUR. ABRAMSON, J., ALSO CONCURS BY SEPARATE OPINION IN WHICH MINTON, C.J., NOBLE, SCOTT AND VENTERS, JJ., JOIN. CUNNINGHAM, JJ., DISSENTS BY SEPARATE OPINION.
- [2011-SC-000390-MR](#)
TO BE PUBLISHED
- CLAY
- Questions Presented:**
Three counts of murder and first degree arson-Life imprisonment without the possibility of parole. RCr 9.36. Challenge to juror impartiality. Case reversed for error in failing to remove a juror from the jury.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

38. ADRIAN BENTON V. [2011-SC-000411-MR](#) FAYETTE
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
MEMORANDUM OPINION OF
THE COURT – AFFIRMING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
39. TERRY LEON AYERS V. [2011-SC-000436-MR](#) DAVIESS
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
MEMORANDUM OPINION OF
THE COURT – AFFIRMING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
40. GEORGE GONZALEZ V. [2011-SC-000466-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
MEMORANDUM OPINION OF
THE COURT – AFFIRMING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
41. TARELL THOMAS V. [2011-SC-000557-MR](#) HICKMAN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
MEMORANDUM OPINION OF
THE COURT – AFFIRMING
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR,
EXCEPT NOBLE, J., CONCURS IN
RESULT BECAUSE THE
PROSECUTOR’S MENTION OF THE
DEFENDANT’S SILENCE WAS ERROR,
BUT IT WAS HARMLESS.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

42. COMMONWEALTH OF KENTUCKY, [2011-SC-000790-WC](#) FROM COURT
UNINSURED EMPLOYERS' FUND V. **NOT TO BE PUBLISHED** OF APPEALS
MICHELE LYNN TURNER; LEE
WARNER, D/B/A FLIP CITY
GYMNASTICS ACADEMY; ASHLEY
STRATTON, D/B/A FLIP CITY
GYMNASTICS ACADEMY; HON. R.
SCOTT BORDERS, ADMINISTRATIVE
LAW JUDGE; WORKERS'
COMPENSATION BOARD
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
43. CHARLES FRANKLIN MICHAEL V. [2012-SC-000097-MR](#) NELSON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
44. DONALD BARTLEY V. [2012-SC-000643-MR](#) FROM COURT
HONORABLE SAMUEL T. WRIGHT, **NOT TO BE PUBLISHED** OF APPEALS
JUDGE, LETCHER CIRCUIT COURT,
AND EDISON G. BANKS, II,
COMMONWEALTH ATTORNEY
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.
CUNNINGHAM, J., ALSO CONCURS BY
SEPARATE OPINION.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

45. COREY D. TOOGOOD, JR. V. [2012-SC-000214-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING IN PART
AND VACATING IN PART**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. MINTON, C.J.;
ABRAMSON, CUNNINGHAM, NOBLE
AND SCOTT, JJ., CONCUR. VENTERS,
J., CONCURS IN RESULT ONLY.
46. GEOFFREY HAMPTON V. [2011-SC-000741-WC](#) FROM COURT
INTECH CONTRACTING, LLC; **NOT TO BE PUBLISHED** OF APPEALS
HONORABLE LAWRENCE F. SMITH,
ADMINISTRATIVE LAW JUDGE; AND
WORKERS' COMPENSATION BOARD
**MEMORANDUM OPINION OF
THE COURT – REVERSING AND
REMANDING**
MINTON, C.J.; ABRAMSON,
CUNNINGHAM, NOBLE, SCOTT AND
VENTERS, JJ., SITTING. ALL CONCUR.

OPINIONS AND ORDERS – MARCH 21, 2013

- KENTUCKY BAR ASSOCIATION V. [2011-SC-000382-KB](#) IN SUPREME
STANLEY M. CHESLEY **TO BE PUBLISHED** COURT
**ORDER PERMANENTLY DISBARRED
RESPONDENT FROM THE PRACTICE OF
LAW.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.
- KENTUCKY BAR ASSOCIATION V. [2012-SC-000670-KB](#) IN SUPREME
CURTIS DONALD BRITT **TO BE PUBLISHED** COURT
**ORDER SUSPENDED RESPONDENT FROM
THE PRACTICE OF LAW INDEFINITELY**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – MARCH 21, 2013

KENTUCKY BAR ASSOCIATION V.
KUNGU NJUGUNA
**ORDER SUSPENDED RESPONDENT
FROM THE PRACTICE OF LAW FOR
180 DAYS WITH CONDITIONS.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.

[2012-SC-000755-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
EDWARD A. MAYER
**ORDER PERMANENTLY DISBARRED
RESPONDENT FROM THE PRACTICE OF
LAW.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.

[2012-SC-000823-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
HENRY J. CURTIS
**ORDER PUBLICLY REPRIMANDED
RESPONDENT.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.

[2012-SC-000826-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

ROBERT C. BISHOP V.
KENTUCKY BAR ASSOCIATION
**ORDER SUSPENDED RESPONDENT
FROM THE PRACTICE OF LAW FOR
61 DAYS WITH CONDITIONS.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
NOBLE, SCOTT AND VENTERS, JJ., SITTING.
ALL CONCUR.

[2013-SC-000044-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

CHRISTOPHER WARNER V.
COMMONWEALTH OF KENTUCKY

2012-SC-000433-DG

KENTON

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

RANDY WHITE, ET AL. V. CLIFTON BOARDS-BEY	2012-SC-000481-DG	MUHLENBERG
SCOTT COFFEY, ET AL. V. JAMES M. WETHINGTON	2012-SC-000721-DGE	GREEN
HAL D. FRIEDMAN V. SUSAN E. LEA	2013-SC-000010-DG	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

VELLAIAPPAN SOMASUNDRARAM, M.D., ET AL. V. THE ESTATE OF BENITA WIRLEEN DIXON, ETC., ET AL.	2012-SC-000303-D	PIKE
J. TIMOTHY KOHARI, D.O., ET AL. V. THE ESTATE OF BENITA WIRLEEN DIXON, ETC., ET AL.	2012-SC-000304-D	PIKE
SURE FLAME PROPANE GAS, INC. V. GARY REED AND KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION	2012-SC-000323-D	WASHINGTON
JOSEPH SHARER V. COMMONWEALTH OF KENTUCKY	2012-SC-000327-D	WARREN
MELDRUM GREG HARVEY V. COMMONWEALTH OF KENTUCKY AND MELDRUM GREG HARVEY V. COMMONWEALTH OF KENTUCKY	2012-SC-000347-D	MUHLENBERG
	2012-SC-000444-D	MUHLENBERG
DENNIS L. BELL V. COUNTRYWIDE HOME LOANS, INC.	2012-SC-000352-D	MCCRACKEN

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

COLDWELL COMPANY, INC., D/B/A COLDWELL BANKER COLDWELL COMPANY V. LOGAN ASSET BACKED FUND, L.P., ET AL.	2012-SC-000373-D	FAYETTE
HEIDI KRISTINE ERICKSON V. RAYMOND MARK NEWBERRY	2012-SC-000398-D	BOURBON
MICHAEL L. TAYLOR V. COMMONWEALTH OF KENTUCKY	2012-SC-000409-D	ADAIR
STEWART TURLEY V. COMMONWEALTH OF KENTUCKY	2012-SC-000450-D	MCLEAN
MARK ROBERTS V. COMMONWEALTH OF KENTUCKY	2012-SC-000459-D	LAUREL
TRUE GOSPEL CHURCH MINISTRIES, INC., ET AL. V. CHURCH OF GOD IN CHRIST, KENTUCKY FIRST JURISDICTION, INC., ET AL. SCOTT, J., WOULD GRANT.	2012-SC-000460-D	CHRISTIAN
OSCAR CHERRY V. CITY OF BOWLING GREEN, KENTUCKY THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2012-SC-000489-D	WARREN
JOHN J. MURRAY V. LADONNA THOMPSON AND MELISSA HARROD	2012-SC-000497-D	FRANKLIN
JOSEPH D. GREENWELL V. AMY BARLOW, ET AL.	2012-SC-000503-D	BOYLE
TODERICK MOORE-BAKER V. COMMONWEALTH OF KENTUCKY	2012-SC-000517-D	JEFFERSON

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

JAMES ROSE AND CHRISTOPHER ROSE V. WINTERS, YONKER & ROUSSELLE, P.S.C., A/K/A WINTERS & YONKER, ATTORNEYS AT LAW, P.S.C., & PA, ET AL. VENTERS, J., WOULD GRANT. THE OPINION OF THE COURT OF APPEALS IS ORDERED TO BE PUBLISHED.	2012-SC-000518-D	JEFFERSON
LINDSAY STEWART, III, DAN SHORT AND PAIGE SHORT V. CITY OF PARIS, ET AL.	2012-SC-000521-D	BOURBON
GARY R. ESTES AND MICHELLE ESTES V. BAC HOME LOANS SERVICING, LP	2012-SC-000529-D	ADAIR
CHRISTOPHER MAJOR V. COMMONWEALTH OF KENTUCKY	2012-SC-000557-D	JESSAMINE
THE ESTATE OF WALLACE KELLY, JR., BY AND THROUGH LOUISE R. KELLY, EXECUTRIX OF THE ESTATE OF WALLACE KELLY V. THOMAS BEALL AND JESSAMINE COUNTY FISCAL COURT	2012-SC-000558-D	JESSAMINE
MARCUS LAVAR PORTER V. COMMONWEALTH OF KENTUCKY	2012-SC-000562-D	JEFFERSON
WOODY CABBIL, JR. V. COMMONWEALTH OF KENTUCKY	2012-SC-000569-D	JEFFERSON
CORINE BAKER AND CHERRY WEST V. DON HACOCK AND PAT HANCOCK	2012-SC-000584-D	CALDWELL
SHANNON GARLAND V. COMMONWEALTH OF KENTUCKY	2012-SC-000590-D	LETCHER
MIKE LYON V. SEVEN COUNTIES SERVICES, ET AL.	2012-SC-000647-D	JEFFERSON

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 13, 2013**

JOHNNY COWHERD V. CLARK TAYLOR, WARDEN, LUTHER LUCKETT CORRECTIONAL COMPLEX	2012-SC-000727-D	OLDHAM
RICHARD COOKSEY V. COMMONWEALTH OF KENTUCKY	2012-SC-000729-D	JEFFERSON
DAVID CHRISTOPHER EATON V. KRISTINA NICOLE JOHNSON	2012-SC-000833-DE	FAYETTE
D.L. AND K.L. V. COMMONWEALTH OF KENTUCKY, ET AL.	2013-SC-000001-DE	JEFFERSON

COURT ORDERS DENYING PETITION FOR REHEARING – MARCH 21, 2013

CYNTHIA MULLINS V. COMMONWEALTH OF KENTUCKY MINTON, C.J.; ABRAMSON, CUNNINGHAM, NOBLE, SCOTT AND VENTERS, JJ., SITTING. ALL CONCUR.	2011-SC-000634-MR	PIKE
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COURT ORDERS DISMISSING

ROGER EPPERSON V. COMMONWEALTH OF KENTUCKY ENTERED: MARCH 15, 2013	2011-SC-000398-MR	WARREN
DEWAYNE BRYANT V. COMMONWEALTH OF KENTUCKY ENTERED: MARCH 15, 2013	2012-SC-000428-MR	JEFFERSON
J.C., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY ENTERED: MARCH 15, 2013	2012-SC-000828-MR	FAYETTE
MAUREEN ANN SULLIVAN V. KENTUCKY BAR ASSOCIATION ENTERED: FEBRUARY 21, 2013	2013-SC-000068-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

COURT ORDERS DISMISSING

JULISSA NEVAREZ V. HON. RICHARD WOESTE, JUDGE CAMPBELL FAMILY COURT, ET AL. ENTERED: MARCH 15, 2013	2013-SC-000058-MR	CAMPBELL
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COURT ORDERS

MARK A. SHANNON V. CARL BRISCOE, JR., ET AL. ORDER GRANTED RESPONDENT'S MOTION TO STRIKE MOTION FOR DISCRETIONARY REVIEW. ENTERED: MARCH 13, 2013	2012-SC-000311-D	LEE
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COURT ORDERS

KENTUCKY BAR ASSOCIATION V. WILLIAM R. PALMER, JR. ORDER MODIFIED OPINION AND ORDER RENDERED FEBRUARY 21, 2013, BY SUBSTITUTION OF THE ENTIRE OPINION AND ORDER. ENTERED: FEBRUARY 22, 2013	<u>2012-SC-000787-KB</u> TO BE PUBLISHED	IN SUPREME COURT
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**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION**

CHRISTOPHER JAMES ALUOTTO V. KENTUCKY BAR ASSOCIATION ENTERED: MARCH 1, 2013	2013-SC-000133-KB	IN SUPREME COURT
COURTNEY WHITING STALLWORTH V. KENTUCKY BAR ASSOCIATION ENTERED: MARCH 1, 2013	2013-SC-000134-KB	IN SUPREME COURT
NANCY UTTERBACK V. KENTUCKY BAR ASSOCIATION ENTERED: MARCH 7, 2013	2013-SC-000147-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MARCH 21, 2013 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION**

**BENJAMIN COWGILL V.
KENTUCKY BAR ASSOCIATION
ENTERED: MARCH 7, 2013**

2013-SC-000148-KB

**IN SUPREME
COURT**