

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

19. JIMMY R. GIBSON, ET AL. V. RANDY THOMPSON  
**OPINION OF THE COURT BY JUSTICE CUNNINGHAM – DENYING MOTION FOR INTERLOCUTORY RELIEF**  
ALL SITTING. ALL CONCUR.
- [2010-SC-000708-1](#)  
**TO BE PUBLISHED**
- KNOTT
- Questions Presented:**  
Denial of Motion for Interlocutory Relief. Standing to challenge qualifications of a candidate in a primary election.
20. HON. WILLIAM MITCHELL NANCE, CIRCUIT COURT JUDGE, 43<sup>RD</sup> JUDICIAL CIRCUIT, DIVISION TWO (FAMILY COURT), COMMONWEALTH OF KENTUCKY V. KENTUCKY ADMINISTRATIVE OFFICE OF THE COURTS  
**OPINION OF THE COURT BY JUSTICE NOBLE – ABRAMSON, J., ALSO CONCURS BY SEPARATE OPINION. SCHRODER, J. DISSENTS BY SEPARATE OPINION. MINTON, C.J., NOT SITTING.**
- [2010-SC-000202-OA](#)  
**TO BE PUBLISHED**
- IN SUPREME COURT
- Questions Presented:**  
Power of local court officials to appoint the personnel in their offices exists through the policy of the Supreme Court. When that grant of appointing authority is not properly executed in the best interest of the Court of Justice by the local officials, the Chief Justice must act, either directly or by proper delegation of his authority.
21. KENTUCKY RETIREMENT SYSTEMS V. DILLARD WAYNE BROWN (INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF BARBARA FAYE REED BROWN, DECEASED) AND KENTUCKY RETIREMENT SYSTEMS V. TAMMY SIZEMORE  
**OPINION OF THE COURT BY JUSTICE SCOTT – AFFIRMING**  
NOBLE, J., CONCURS IN RESULT ONLY.
- [2008-SC-000326-DG](#)  
**TO BE PUBLISHED**
- FRANKLIN
- [2008-SC-000898-DG](#)  
[2009-SC-000174-DG](#)  
**TO BE PUBLISHED**
- FRANKLIN  
FRANKLIN
- Questions Presented:**  
Kentucky Administrative Law. Disability Retirement. Issues include whether courts below improperly shifted burden of proof regarding disability-retirement applicant's alleged pre-existing condition and usurped the role of the fact-finder; and whether applicant's history of cigarette-smoking constituted a pre-existing "condition" for purposes of KRS61.600(3).

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

22. JOSEPH FISCHER, ET AL. V.  
JOHN R. FISCHER, SUCCESSOR  
EXECUTOR OF THE ESTATE  
OF JOHN FISCHER  
**OPINION OF THE COURT BY  
JUSTICE NOBLE –  
AFFIRMING**  
SCHRODER AND SCOTT, JJ.,  
CONCUR IN RESULT ONLY.

[2009-SC-000245-DG](#) JEFFERSON  
**TO BE PUBLISHED**

**Questions Presented:**  
Preservation. Contract Law. Issues include whether Court of Appeals' reversal of jury verdict was appropriate where the grounds for reversal were not raised in the trial court.

23. JAMES QUISENBERRY V.  
COMMONWEALTH OF KENTUCKY  
AND  
KENNETH WILLIAMS V.  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
JUSTICE ABRAMSON –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.

[2009-SC-000302-MR](#) JEFFERSON  
**TO BE PUBLISHED**

[2009-SC-000418-MR](#) JEFFERSON  
**TO BE PUBLISHED**

**Questions Presented:**  
Joint trial in which co-defendants were found guilty of robbery, murder and second degree manslaughter, assault and attempted murder, facilitation and tampering with physical evidence. No error in admitting defendants' redacted pretrial statements in their joint trial. A limiting instruction should be given by the judge upon defendant's request; if not requested, review is limited to palpable error analysis. Defendant's ambiguous statements did not invoke rights under Miranda and Edwards. Convictions supported by sufficient evidence. Convictions for facilitating assault and attempted murder did not constitute double jeopardy.

24. GERALD S. HINNERS V.  
BRAD ROBEY, D/B/A/ ROBEY'S  
PAWN WORLD  
**OPINION OF THE COURT BY  
JUSTICE VENTERS –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.

[2009-SC-000389-DG](#) KENTON  
**TO BE PUBLISHED**

**Questions Presented:**  
Personal Jurisdiction. eBay. The issue is whether a seller - located in another state - who sells a product to a buyer in Kentucky through eBay has significant contacts with the state to establish personal jurisdiction when the buyer sues for fraud and defective product.

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

25. DENVER RAY WILLIAMS V.  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON –  
AFFIRMING**  
NOBLE, J., CONCURS IN RESULT  
ONLY BECAUSE APPELLANT  
POSSESSED TWO DIFFERENT  
QUANTITIES OF COCAINE, WHICH  
WERE SUFFICIENT TO SUPPORT  
TWO DIFFERENT CONVICTIONS  
WITHOUT VIOLATING KRS 505.020  
OR DOUBLE JEOPARDY PRINCIPLES.

[2009-SC-000440-DG](#)  
**TO BE PUBLISHED**

HARDIN

**Questions Presented:**  
Criminal Law. Double Jeopardy. Ineffective Assistance of Counsel. Issues include whether trial counsel was ineffective for failing to object to a second count of trafficking, based upon defendant's attempted swallowing of small baggie of contraband.

26. JOHNATHAN HARRIS V.  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
JUSTICE VENTERS –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.

[2009-SC-000621-MR](#)  
**TO BE PUBLISHED**

JEFFERSON

**Questions Presented:**  
Second degree PFO. Section 110 (5)(b) authorizes the Chief Justice to appoint retired judges from the senior status program to preside over trials. Defendant became PFO eligible when he turned twenty-one before the time of his conviction.

27. DUWAN LAMAR ROBBINS V.  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
JUSTICE CUNNINGHAM –  
AFFIRMING**  
NOBLE, J., CONCURS IN RESULT  
ONLY.

[2009-SC-000643-DG](#)  
**TO BE PUBLISHED**

JEFFERSON

**Questions Presented:**  
Criminal Law. Discovery. Expert Witnesses. Search and Seizure. Identity of Confidential Informant. Forfeiture. The issues include whether the lower courts properly affirmed the warrantless search; whether the lower courts properly forfeited the money found on the defendant's person; the extent to which parties must disclose information regarding expert witnesses and the basis for their opinions, and the circumstances under which the trial court must compel the identity of the confidential informant.

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

28. COMMONWEALTH OF KENTUCKY V. [2009-SC-000671-DG](#) MCCRACKEN  
RAYCINE LOVE **TO BE PUBLISHED**

**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON –  
AFFIRMING**  
SCOTT, J., DISSENTS BY SEPARATE  
OPINION IN WHICH CUNNINGHAM,  
J., JOINS.

**Questions Presented:**  
Criminal Law. Sentencing. Probation  
Revocation. Where probationer under  
Kentucky felony sentence committed federal  
felony offense, Kentucky authorities lodged  
detainer for probation violation within 90 days  
after federal sentencing, and Kentucky  
probation was revoked after defendant's  
release from federal prison, issues include  
whether trial court properly ordered Kentucky  
sentence to be served consecutively to  
federal sentence, in light of KRS 533.040(3)  
and KRS 533.060(2).

29. VELESSA HATHAWAY V. [2010-SC-000457-MR](#) JEFFERSON  
AUDRA J. ECKERLE (JUDGE, **TO BE PUBLISHED**  
JEFFERSON CIRCUIT COURT)  
AND

COMMONWEALTH DODGE, LLC  
**OPINION OF THE COURT BY  
JUSTICE VENTERS –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.

**Questions Presented:**  
Arbitration clause in vehicle purchase  
agreement. Jurisdiction. Revocation.

30. CAESARS RIVERBOAT CASINO, [2009-SC-000634-DG](#) SHELBY  
LLC, ET AL. V. **TO BE PUBLISHED**  
CARLA BEACH

**OPINION OF THE COURT BY  
JUSTICE VENTERS –  
REVERSING**  
ALL SITTING. ALL CONCUR.

**Questions Presented:**  
Personal Jurisdiction. Minimum Contacts. The  
issue is whether Kentucky long-arm personal  
jurisdiction extends to include out-of-state  
casino corporations, in whose Indiana  
restaurant buffet line a frequent patron from  
Kentucky suffered injury after allegedly  
slipping on butter and falling to the floor.

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

31. CAROLYN RICE V.  
JACKIE RICE  
**OPINION OF THE COURT BY  
JUSTICE NOBLE –  
REVERSING**  
ALL SITTING. ALL CONCUR.
- [2009-SC-000730-DG](#) GREENUP  
**TO BE PUBLISHED**

**Questions Presented:**  
Family Law. Divorce. Division of Debt. At issue is proper allocation of debt accrued by adult child as authorized user of one spouse's credit card, without the permission or knowledge of the other spouse.

32. GEORGE LAPRADD, JR. V.  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
JUSTICE SCHRODER –  
REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR.
- [2009-SC-000214-DG](#) JEFFERSON  
**TO BE PUBLISHED**

**Questions Presented:**  
Criminal Law. Jury Instructions. Justification. Choice of Evils. At issue is whether a finding of a lack of justification based upon choice of evils should be included in the instruction for the crime itself.

33. LOWELL WORKMAN,  
ET AL. V.  
J. P. HAMM, IN HIS OFFICIAL  
CAPACITY AS THE APPOINTING  
AUTHORITY FOR THE CABINET  
FOR HEALTH AND FAMILY  
SERVICES, ET AL.  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.
- [2009-SC-000522-DG](#) FRANKLIN  
**NOT TO BE PUBLISHED**

34. JAMES SPARKS V.  
COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.
- [2009-SC-000610-MR](#) GREENUP  
**NOT TO BE PUBLISHED**

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

35. CYNTHIA WALLACE V. [2009-SC-000659-MR](#) FAYETTE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT –**  
**AFFIRMING**  
ALL SITTING. ALL CONCUR.
36. JONATHAN LEVI JOHNSON V. [2009-SC-000727-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT –**  
**AFFIRMING**  
ALL SITTING. ALL CONCUR.
37. ANTHONY WIDEMAN V. [2010-SC-000025-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT –**  
**AFFIRMING**  
ALL SITTING. ALL CONCUR.
38. BETTS USA, INC. V. [2010-SC-000203-WC](#) FROM COURT  
DEBBIE MURSKI; ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
AND  
DEBBIE MURSKI V. [2010-SC-000221-WC](#)  
BETTS USA, INC.; ET AL. **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT –**  
**AFFIRMING**  
ALL SITTING. ALL CONCUR.

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

- |     |   |   |                          |
|-----|---|---|--------------------------|
| 39. | JOHN J. SIEGEL, JR., ET AL. V.<br>HONORABLE AUDRA ECKERLE<br>JUDGE, JEFFERSON CIRCUIT<br>COURT, DIVISION SEVEN, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT –<br/><u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR. | <a href="#">2010-SC-000254-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON                |
| 40. | KENIELLE FINCH V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT –<br/><u>AFFIRMING</u></b><br>NOBLE AND VENTERS, JJ., DISSENT.  | <a href="#">2010-SC-000267-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON                |
| 41. | HARRISON MEMORIAL HOSPITAL V.<br>GARY SIPE, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT –<br/><u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.   | <a href="#">2010-SC-000287-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 42. | JAMES RISTER V.<br>SCRUBET, INC.; ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT –<br/><u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.   | <a href="#">2010-SC-000296-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 43. | ROBERT ROBINSON V.<br>DAVE GATEWOOD, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT –<br/><u>AFFIRMING</u></b><br>VENTERS, J., DISSENTS BY<br>SEPARATE OPINION IN WHICH<br>CUNNINGHAM, J., JOINS.                     | <a href="#">2010-SC-000354-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

44. AMERICAN NURSING CARE, INC. V. [2010-SC-000361-WC](#) FROM COURT  
MARY ANN JENKINS, ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.
45. RICHARD CROTZER V. [2010-SC-000390-WC](#) FROM COURT  
CWI, ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.
46. TAYLOR BANKS V. [2010-SC-000484-MR](#) JEFFERSON  
HON. BARRY L. WILLETT, JUDGE, **NOT TO BE PUBLISHED**  
JEFFERSON CIRCUIT COURT,  
DIVISION ONE  
AND  
JAMES WILLIAMS, JR.  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ABRAMSON, J., ALSO CONCURS WITH  
THE MAJORITY OPINION FOR THE  
REASON THAT APPELLANT BANKS  
HAS NOT MET THE COURT’S STANDARD  
REQUIRING “NO ADEQUATE REMEDY BY  
APPEAL” AND DEMONSTRATION OF  
“IRREPARABLE INJURY” AND IS  
COMPELLED TO REITERATE THAT  
THESE CONSTITUTE THE GROUNDS  
FOR DENIAL OF THE WRIT, NOT ANY  
DETERMINATION REGARDING THE  
LEGAL SOUNDNESS OF THE TRIAL  
COURT’S ORDER.



SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

47. MERCK & COMPANY, INC. V. [2010-SC-000529-MR](#) PIKE  
HON. STEPHEN D. COMBS **NOT TO BE PUBLISHED**  
(JUDGE, PIKE CIRCUIT COURT)  
AND  
JAMES RATLIFF  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING**  
ALL SITTING. ALL CONCUR.
48. DONALD E. HOWARD V. [2009-SC-000408-MR](#) CARROLL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING IN PART AND  
REVERSING IN PART, AND  
REMANDING**  
SCOTT, J., CONCURS IN PART AND  
DISSENTS IN PART BY SEPARATE  
OPINION IN WHICH CUNNINGHAM,  
J., JOINS.
49. WILLIAM MUCKER V. [2010-SC-000009-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING, IN PART, AND  
REVERSING AND REMANDING,  
IN PART**  
SCOTT, J., CONCURS IN RESULT  
ONLY BY SEPARATE OPINION IN  
WHICH SCHRODER, J., JOINS.
50. JOHN MANN V. [2010-SC-000047-MR](#) KENTON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF  
THE COURT –  
AFFIRMING IN PART AND REVERSING  
AND REMANDING IN PART**  
ALL SITTING. ALL CONCUR.

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

51. SHERI LYNN REINSTEDLER V. DANIEL THOMAS REINSTEDLER  
**MEMORANDUM OPINION OF THE COURT –**  
**REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR. [2009-SC-000088-DG](#) JEFFERSON  
**NOT TO BE PUBLISHED**
52. HOSPITAL OF LOUISA, D/B/A THREE RIVERS MEDICAL CENTER V. JOHNSON COUNTY FISCAL COURT  
**MEMORANDUM OPINION OF THE COURT –**  
**REVERSING AND REMANDING**  
VENTERS, J., DISSENTS BY SEPARATE OPINION IN WHICH MINTON, C.J., AND ABRAMSON, J., JOIN. [2009-SC-000280-DG](#) JOHNSON  
**NOT TO BE PUBLISHED**
53. ERIC BRIAN HARWELL V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT –**  
**REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR. [2009-SC-000333-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
54. PATRICK SIZEMORE V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT – REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR.  
RENDERED: JANUARY 27, 2011 [2009-SC-000645-MR](#) LAUREL  
**NOT TO BE PUBLISHED**

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION V.  
PATRICK EDWARD MOEVES  
**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
1 YEAR WITH CONDITIONS.**  
ALL SITTING. ALL CONCUR.  
**ENTERED: MARCH 24, 2011**

[2009-SC-000270-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

WILMA SHELTON V.  
KENTUCKY EASTER SEALS  
SOCIETY, INC.  
**ORDER GRANTED DISCRETIONARY  
REVIEW, VACATED THE COURT OF  
APPEALS' OPINION AND REMANDED  
TO THE COURT OF APPEALS FOR  
FURTHER PROCEEDINGS.**  
ALL SITTING. ALL CONCUR.  
**ENTERED: MARCH 16, 2011**

2010-SC-000566-DG

FAYETTE

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**OPINIONS AND ORDERS**

COMMONWEALTH OF KENTUCKY,  
BY AND THROUGH JACK CONWAY,  
ATTORNEY GENERAL V.  
HONORABLE PHILLIP J. SHEPHERD,  
JUDGE, FRANKLIN CIRCUIT COURT,  
DIVISION I  
AND  
GREGORY WILSON, ET AL.  
AND

[2010-SC-000586-OA](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

KENTUCKY DEPARTMENT OF  
CORRECTIONS AND COMMONWEALTH  
OF KENTUCKY, BY AND THROUGH JACK  
CONWAY, ATTORNEY GENERAL V.  
HONORABLE PHILLIP J. SHEPHERD,  
JUDGE FRANKLIN CIRCUIT COURT,  
DIVISION I  
AND  
GREGORY WILSON, ET AL.

[2010-SC-000589-OA](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**ORDER DENIED PETITIONS FOR WRIT,  
AND ALL PENDING MOTIONS ARE  
DENIED AS MOOT.**

CUNNINGHAM AND SCOTT,  
JJ., DISSENT.

**ENTERED: MARCH 24, 2011**

KENTUCKY BAR ASSOCIATION V.  
MARGARET M. JACKSON-RIGG  
**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
A PERIOD OF 1 YEAR. SAID  
SUSPENSION SHALL BE SERVED  
CONSECUTIVELY TO ANY AND ALL  
SUSPENSIONS ORDER PRIOR TO  
THIS DATE.**

[2010-SC-000684-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

SCHRODER, J., DISSENTS.

**ENTERED: MARCH 24, 2011**

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION V.  
CHRISTOPHER S. HARWOOD  
**ORDER RETROACTIVELY SUSPENDED  
RESPONDENT FROM THE PRACTICE  
OF LAW FOR A PERIOD OF SIX  
MONTHS EFFECTIVE APRIL 7, 2010  
TO RUN CONCURRENTLY WITH THE 6  
MONTHS PROBATED SENTENCE  
ENTERED BY THE OHIO SUPREME COURT.  
ALL SITTING. ALL CONCUR.  
ENTERED: MARCH 24, 2011**

[2010-SC-000715-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

SHARON TRAVIS V.  
LAURIE K. DUDGEON, DIRECTOR,  
KENTUCKY ADMINISTRATIVE OFFICE OF  
THE COURTS; AND KENTUCKY  
ADMINISTRATIVE OFFICE OF THE COURTS  
**ORDER DISMISSED.**  
MINTON, C.J., NOT SITTING.  
**ENTERED: MARCH 23, 2011**

2010-SC-000788-OA

IN SUPREME  
COURT

J. THOMAS HARDIN V.  
KENTUCKY BAR ASSOCIATION  
**ORDER SUSPENDED MOVANT  
FROM THE PRACTICE OF LAW FOR  
TWO YEARS.**  
ALL SITTING. ALL CONCUR.  
**ENTERED: MARCH 24, 2011**

[2010-SC-000800-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION V.  
WILLIAM O. AYERS

[2010-SC-000811-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
THIRTY DAYS TO BEGIN ON THE  
DATE OF THE ENTRY OF THIS ORDER  
TO RUN CONSECUTIVELY FROM ANY  
OTHER DISCIPLINE.**

ALL SITTING. ALL CONCUR.

**ENTERED: MARCH 24, 2011**

KENTUCKY BAR ASSOCIATION V.  
TIMOTHY CRAWFORD

2010-SC-000813-KB

IN SUPREME  
COURT

**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
THIRTY DAYS.**

ALL SITTING. ALL CONCUR.

**ENTERED: MARCH 24, 2011**

KENTUCKY BAR ASSOCIATION V.  
LEO A. MARCUM

[2010-SC-000814-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**ORDER SUSPENDED  
RESPONDENT FROM THE PRACTICE OF  
LAW FOR A PERIOD OF 3 YEARS.  
SAID SUSPENSION SHALL BE SERVED  
CONSECUTIVELY TO ANY AND ALL  
SUSPENSIONS ORDERED PRIOR TO  
THIS DATE.**

SCOTT, J., NOT SITTING.

**ENTERED: MARCH 24, 2011**

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION,  
CLE COMMISSION V.  
GREGORY KEITH SMITH  
**RESPONDENT ORDERED TO PAY  
\$500.00 TO THE KBA IN LIEU OF  
SUSPENSION FOR NON COMPLIANCE  
WITH CLE REQUIREMENTS.**  
ALL SITTING. ALL CONCUR.  
**ENTERED: MARCH 24, 2011**

2010-SC-000814-KB  
**NOT TO BE PUBLISHED** IN SUPREME  
COURT

KENTUCKY BAR ASSOCIATION V.  
SHARON EASTHOM ROWSEY  
**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
181 DAYS WITH CONDITIONS.**  
ABRAMSON, J., NOT SITTING.  
**ENTERED: MARCH 24, 2011**

[2011-SC-000034-KB](#)  
**TO BE PUBLISHED** IN SUPREME  
COURT

PETERS FARMS, LLC V.  
IKERD MINING, LLC, ET AL.  
**ORDER DENIED CR 65.09  
RELIEF AND DENIED  
CR 76.33 RELIEF.**  
VENTERS, J., NOT SITTING.  
**ENTERED: FEBRUARY 16, 2011**

2011-SC-000035-I  
IN SUPREME  
COURT

KENTUCKY BAR ASSOCIATION V.  
DAVID KAPLAN  
**ORDER SUSPENDED RESPONDENT  
FROM THE PRACTICE OF LAW FOR  
A PERIOD OF 5 YEARS FROM THE  
DATE OF THIS ORDER.**  
ALL SITTING. ALL CONCUR.  
**ENTERED: MARCH 24, 2011**

[2011-SC-000038-KB](#)  
**TO BE PUBLISHED** IN SUPREME  
COURT

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

**JAMES W. PATTON V.  
KENTUCKY BAR ASSOCIATION  
ORDER REINSTATED MOVANT  
TO THE PRACTICE OF LAW.  
ALL SITTING. ALL CONCUR.  
ENTERED: MARCH 24, 2011**

[2011-SC-000072-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**VALERIE L. BOCK V.  
KENTUCKY BAR ASSOCIATION  
ORDER SUSPENDED MOVANT FROM  
THE PRACTICE OF LAW FOR 181 DAYS  
WITH CONDITIONS.  
ALL SITTING. ALL CONCUR.  
ENTERED: MARCH 24, 2011**

[2011-SC-000074-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW  
MARCH 16, 2011**

**TECO MECHANICAL  
CONTRACTOR, INC. V.  
COMMONWEALTH OF KENTUCKY,  
ENVIRONMENTAL AND PUBLIC  
PROTECTION CABINET, ET AL.**

2009-SC-000821-DG

FRANKLIN

**KENTUCKY SOUTHERN  
COAL CORPORATION V.  
KENTUCKY ENERGY AND  
ENVIRONMENT CABINET,  
FORMERLY THE ENVIRONMENTAL  
AND PUBLIC PROTECTION CABINET**

2010-SC-000029-DG

FRANKLIN

**K.R., A/K/A J.W., A CHILD V.  
COMMONWEALTH OF KENTUCKY**

2010-SC-000076-DG

JEFFERSON

**ARNOLD W. CARTER V.  
JAMIE D. SMITH AND BOURBON  
COUNTY BOARD OF EDUCATION**

2010-SC-000295-DG

BOURBON



**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW**  
**MARCH 16, 2011**

COMMONWEALTH OF KENTUCKY V. JAMES W. STEADMAN	2010-SC-000326-DG	LOGAN
COMMONWEALTH OF KENTUCKY V. PATRICK O'CONNOR	2010-SC-000343-DG	PULASKI
KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL. V. DIANA CECIL	2010-SC-000349-DG	JEFFERSON
CONNIE HANCOCK, FLOYD COUNTY PROPERTY VALUATION ADMINISTRATOR, ET AL. V. PRESTONSBURG INDUSTRIAL CORPORATION, ET AL.	2010-SC-000376-DG	FLOYD
HAROLD GENE CUNNINGHAM, ET AL. V. DIANE WHALEN, ET AL.	2010-SC-000564-DG	BOONE
DESEAN MAYNES V. COMMONWEALTH OF KENTUCKY	2010-SC-000681-DG	JEFFERSON
SAMANTHA DAUGHERTY (NOW BUCHER) V. JOHN STEPHEN TELEK	2011-SC-000043-DE	KENTON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**MARCH 16, 2011**

GENEVA HAGER V. ALLSTATE INSURANCE COMPANY	2009-SC-000741-D	FAYETTE
JULIA CAIN V. AMERICAN COMMERCE INSURANCE COMPANY, INC.	2009-SC-000784-D	JEFFERSON

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**

**MARCH 16, 2011**

LAWYERS MUTUAL INSURANCE COMPANY OF KENTUCKY V. PAUL STEWART <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2009-SC-000823-D	KNOX
TYLER SIMS, ET AL. V. WILLIAM F. BOSCHEINEN, JR. ET AL.	2010-SC-000007-D	FAYETTE
NORTHERN KENTUCKY WATER DISTRICT V. PUBLIC SERVICE COMMISSION, CRESTBROOK PROPERTIES, LLC, ET AL.	2010-SC-000017-D	FRANKLIN
ANTHONY O. GRISBY V. UPS GROUND FREIGHT, INC. F/K/A OVERNITE TRANSPORTATION CO., INC., ET AL.	2010-SC-000090-D	FAYETTE
NOTHERN KENTUCKY AREA PLANNING COMMISSION, ET AL.V. RUSSELL CLOYD	2010-SC-000093-D	KENTON
SANDRA C. BROOKS, ET AL. V. LEXINGTON-FAYETTE URBAN COUNTY HOUSING AUTHORITY	2010-SC-000127-D	FAYETTE
ROLAND DOTSON, ET AL. V. GRANGE MUTUAL CASUALTY COMPANY, ET AL.	2010-SC-000273-D	POWELL
GRIFFIN INDUSTRIES, INC. V. CHRISTOPHER PRIESTER	2010-SC-000282-D	LOGAN

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**MARCH 16, 2011**

BARBER CABINET COMPANY, INC. V. PAMELA SPARKS, ET AL. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2010-SC-000288-D	JESSAMINE
JOHNSON, TRUE & GUARNIERI, LLP V. MICHAEL D. FOLEY, AS MEMBER OF THE ADVISORY COMMITTEE FOR THE ESTATE AND TRUST OF GARVICE D. KINCAID, ET AL. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2010-SC-000298-D	FAYETTE
WILLIAM CLARK V. COMMONWEALTH OF KENTUCKY	2010-SC-000303-D	DAVISS
TODD REYNOLDS V. SONITROL OF LEXINGTON, INC.	2010-SC-000304-D	FAYETTE
STALLARD B. BOYD V. DIANA LYNN BOYD	2010-SC-000312-D	FLOYD
STANFORD HEALTH & REHABILITATION CENTER, ET AL. V. LUCILLE BROCK, AS ADMINISTRATRIX OF THE ESTATE OF GLEN WILLIAMS, DECEASED, ET AL. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED TO BE PUBLISHED.</b>	2010-SC-000318-D	LINCOLN
TOMMY KING V. COMMONWEALTH OF KENTUCKY	2010-SC-000333-D	ESTILL

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**MARCH 16, 2011**

WILLIAM HELTON V. TRI-COUNTY CYCLES BARBOURVILLE, LLC, ET AL. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2010-SC-000350-D	KNOX
ALLEN HORN, ET AL. V. WILLIAM KENNETH SPURLOCK	2010-SC-000357-D	LAWRENCE
JERRY COCHRAN V. PREMIER CONCRETE PUMPING, INC., A/K/A PREMIER CONCRETE, ET AL.	2010-SC-000359-D	JEFFERSON
ANDREW FORBES, ET AL. V. DIXON ELECTRIC, INC. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED TO BE PUBLISHED.</b>	2010-SC-000365-D	FAYETTE
ACORDIA OF KENTUCKY, INC. V. WESTERN LEASING, INC. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2010-SC-000380-D	JEFFERSON
JAMES MOORE V. COMMONWEALTH OF KENTUCKY	2010-SC-000383-D	JEFFERSON
DANIEL WAXMAN V. KENTUCKY HORSE RACING AUTHORITY	2010-SC-000399-D	FRANKLIN
TUCKER STATION NEIGHBORHOOD ASSOCIATION, INC., ET AL. V. LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BOARD OF ZONING ADJUSTMENT, ET AL.	2010-SC-000416-D	JEFFERSON

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**

**MARCH 16, 2011**

ANGELA CHANEY V. JEFFERY CHANEY	2010-SC-000418-D	PIKE
CITY OF GLASGOW V. JUNE MISSINNE	2010-SC-000436-D	BARREN
KRISTIE STRATTON, ET AL. V. STEVE NEWTON, ET AL.	2010-SC-000451-D	WARREN
RAYFORD POOLE V. COMMONWEALTH OF KENTUCKY	2010-SC-000476-D	MCCRACKEN
DOUGLAS MILLER II V. STEVE HANEY, WARDEN, NORTHPOINT TRAINING CENTER	2010-SC-000517-D	BOYLE
RONALD L. MILLS V. RANDY WHITE, WARDEN, GREEN RIVER CORRECTIONAL COMPLEX	2010-SC-000519-D	MUHLENBERG
J. DAVID DONAHUE, WARDEN, KENTUCKY STATE REFORMATORY V. STEVEN JOHNSON, A/K/A "PEE WEE" AND STEVEN JOHNSON V.	2010-SC-000523-D	OLDHAM
J. DAVID DONAHUE, WARDEN, KENTUCKY STATE REFORMATORY	2010-SC-000524-D	OLDHAM
CELINA MUTUAL INSURANCE COMPANY V. HARBOR INSURANCE AGENCY, LLC, D/B/A LAKE BARKLEY INSURANCE AGENCY, AND WILLIAM KEARNEY	2010-SC-000531-D	TRIGG
BILLY JOE WILLIAMS V. COMMONWEALTH OF KENTUCKY	2010-SC-000536-D	WHITLEY

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**

**MARCH 16, 2011**

JAMES L. JENT, ET AL. V. KENTUCKY UTILITIES COMPANY	2010-SC-000557-D	HARDIN
ANTONIO JOHNSON V. COMMONWEALTH OF KENTUCKY	2010-SC-000627-D	CHRISTIAN
RONALD LAYTON V. COMMONWEALTH OF KENTUCKY	2010-SC-000638-D	JEFFERSON
ELLIS L. KEYES V. COMMONWEALTH OF KENTUCKY	2010-SC-000657-D	LAUREL
LESLIE LEON SCOTT V. COMMONWEALTH OF KENTUCKY	2010-SC-000662-D	CASEY
ERSKIN THOMAS V. COMMONWEALTH OF KENTUCKY	2010-SC-000719-D	FAYETTE
LEXINGTON HOLDINGS ONE, LLC, F/K/A LEXINGTON HOLDINGS, LLC V. PCR CONTRACTORS, INC.	2010-SC-000752-D	FAYETTE
WENDY BOWAN, NOW TIPTON, ET AL. V. ORVILLE BOWMAN <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2010-SC-000779-DE	JEFFERSON
WHITNEY BLAKE SPURGEON V. TAMARA DAWN SPURGEON	2010-SC-000781-DE	PULASKI
ROBYN RANA, F/K/A HAMMOND V. DENNIS E. HAMMOND	2010-SC-000785-DE	GREENUP
PHIL WILLIAMS V. CITIBANK SOUTH DAKOTA N.A.	2010-SC-000796-D	JEFFERSON

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**

**MARCH 16, 2011**

JOHNNELL DENTON V. ABBEY MULLIGAN, DEFACTO CUSTODIAN, ET AL.	2010-SC-000820-DE	CAMPBELL
C.S., MOTHER V. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES	2011-SC-000007-DE	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**

**MARCH 18, 2011**

TIMOTHY DALE WHALEN, ETC., ET AL. V. NORFOLK SOUTHERN CORPORATION	2010-SC-000309-D	GRANT
---	------------------	-------

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF TIME TO FILE  
MOTION FOR DISCRETIONARY REVIEW**

KATHY FARWELL, ET AL. V. ESTILL COUNTY BOARD OF EDUCATION, ET AL. <b>ENTERED: JANUARY 26, 2011</b>	2011-SC-000025-D	ESTILL
LAURA PHILLIPS V. LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT <b>ENTERED: MARCH 1, 2011</b>	2011-SC-000067-D	FAYETTE

**COURT ORDERS GRANTING MOTION TO TRANSFER – MARCH 24, 2011**

MICHAEL MITCHELL V. UNIVERSITY OF KENTUCKY, ET AL.	2010-SC-000762-TG	FAYETTE
---	-------------------	---------

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING PETITION FOR REHEARING – MARCH 24, 2011**

RONNIE LEE BOWLING V. TOM SIMPSON, WARDEN, KENTUCKY STATE PENITENTIARY	2008-SC-000245-TG	LYON
SHAWN WINDSOR V. COMMONWEALTH OF KENTUCKY <b>ORDER MODIFIED THE OPINION OF THE COURT BY JUSTICE CUNNINGHAM RENDERED AUGUST 26, 2010. THE OPINION IS SUBSTITUTED IN LIEU OF THE ORIGINAL.</b>	<a href="#">2008-SC-000383-MR</a>	JEFFERSON
THOMAS CLYDE BOWLING V. COMMONWEALTH OF KENTUCKY <b>ORDER MODIFIED THE OPINION OF THE COURT BY JUSTICE NOBLE, RENDERED SEPTEMBER 23, 2010. PAGES 1, 7, 11 ARE SUBSTITUTED IN LIEU OF THE ORIGINAL.</b>	<a href="#">2008-SC-000901-MR</a>	FAYETTE
DEBBIE CHILDERS V. COMMONWEALTH OF KENTUCKY <b>ORDER MODIFIED THE OPINION OF OF THE COURT BY JUSTICE ABRAMSON, RENDERED DECEMBER 16, 2010, AND THE OPINION IS SUBSTITUTED THEREFOR.</b>	<a href="#">2009-SC-000297-MR</a>	LAWRENCE
STEVEN KEITH HALLMAN V. COMMONWEALTH OF KENTUCKY	2009-SC-000472-MR	BULLITT



**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING PETITION FOR REHEARING – MARCH 24, 2011**

E. DAVID MARSHALL; SUSAN HARDY AND CLAY AVENUE, LLC V. HON. PAMELA R. GOODWINE, JUDGE, FAYETTE CIRCUIT COURT DIVISION FOUR AND DERMOT HALPIN, ET AL.	2009-SC-000495-MR	FAYETTE
JOHN MARRION TERRY V. COMMONWEALTH OF KENTUCKY	2009-SC-000497-DG	JEFFERSON
CHRISTOPHER DOUGLAS BANKS V. COMMONWEALTH OF KENTUCKY	2009-SC-000631-MR	MONTGOMERY
ALLEN WILEY, III V. COMMONWEALTH OF KENTUCKY	2009-SC-000702-MR	JEFFERSON
KARU GENE WHITE V. HON. GARY D. PAYNE (SPECIAL JUDGE) AND COMMONWEALTH OF KENTUCKY <b>ORDER MODIFIED THE OPINION OF THE COURT RENDERED AUGUST 26, 2010, BY SUBSTITUTION OF THE OPINION IN LIEU OF THE ORIGINAL OPINION.</b>	<a href="#">2010-SC-000280-OA</a>	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS**

GLEN AVERY BRYANT V. PULASKI COUNTY DETENTION CENTER; AND BRIAN BISHOP <b>ORDER MODIFIED OPINION OF THE COURT BY JUSTICE NOBLE, RENDERED JANUARY 20, 2011, BY SUBSTITUTION OF PAGES 1 AND 8.</b> ENTERED: FEBRUARY 25, 2011	<a href="#">2009-SC-000036-DG</a>	PULASKI
WILLIAM J. ROGERS V. COMMONWEALTH OF KENTUCKY <b>ORDER DENIED MOTION TO RECONSIDER.</b> ENTERED: JANUARY 21, 2011	2009-SC-000241-MR	CALDWELL
CONNIE MARSHALL V. JIM HAYNES, ET AL. <b>ORDER DENIED MOVANT'S MOTION TO RECONSIDER.</b> ENTERED: MARCH 4, 2011	2009-SC-000542-D 2009-SC-000652-D	JEFFERSON
LAWRENCE A. LAPOINTE, CO-ADMINISTRATOR OF THE ESTATE OF GLENN A. LAPOINTE, DECEASED, ET AL. V. TODD HAWES <b>ORDER GRANTED PARTIES MOTION TO DISMISS.</b> ENTERED: MARCH 9, 2011	2010-SC-000033-DG	SPENCER
HON. WILLIAM MITCHELL NANCE, CIRCUIT COURT JUDGE, 43 <sup>RD</sup> JUDICIAL CIRCUIT, DIVISION TWO (FAMILY COURT), COMMONWEALTH OF KENTUCKY V. KENTUCKY ADMINISTRATIVE OFFICE OF THE COURTS <b>ORDER DENIED THE PETITION FILED BY JUDGE WILLIAM NANCE FOR WRIT.</b> ENTERED: MARCH 24, 2011	2010-SC-000202-OA	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS**

KENTUCKY ASSOCIATED GENERAL CONTRACTORS SELF-INSURANCE FUND <b>V.</b> SHEILA LOWTHER, ADMINISTRATIVE LAW JUDGE, ET AL. <b>ORDER DENIED APPELLANT'S MOTION TO RECONSIDER.</b> ENTERED: MARCH 1, 2011.	2010-SC-000114-DG	FRANKLIN
VERNON JOHNSON (AS GUARDIAN OF LUCY ALICE HALE) <b>V.</b> KINDRED NURSING CENTERS LIMITED PARTNERSHIP, ETC., ET AL. <b>ORDER GRANTED MOVANT'S MOTION TO DISMISS THE MOTION FOR DISCRETIONARY REVIEW.</b> ENTERED: MARCH 14, 2011	2010-SC-000355-D	CLARK
ROBERT HAMILIN, ET AL. <b>V.</b> DANVILLE-BOYLE COUNTY BOARD OF ADJUSTMENT, ET AL. <b>ORDER GRANTED PARTIES' MOTION TO DISMISS.</b> ENTERED: FEBRUARY 11, 2011	2010-SC-000272-DG	BOYLE
COMMONWEALTH OF KENTUCKY <b>V.</b> RICHARD EUGENE DERRINGER <b>ORDER GRANTED MOTION TO CERTIFY THE LAW.</b> ENTERED: MARCH 24, 2011	2010-SC-000685-CL	FAYETTE
DWIGHT INGRAM <b>V.</b> COMMONWEALTH OF KENTUCKY <b>ORDER DISMISSED APPEAL.</b> ENTERED: MARCH 10, 2011	2010-SC-000690-MR	KENTON

SUPREME COURT OF KENTUCKY

MARCH 24, 2011 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS**

BOBBY BROCKMAN V. COMMONWEALTH OF KENTUCKY <b>ORDER DENIED APPELLANT'S MOTION FOR BELATED APPEAL.</b> ENTERED: FEBRUARY 14, 2011	2010-SC-000720-MR	RUSSELL
ROBERT LEON WILLIAMS V. COMMONWEALTH OF KENTUCKY <b>ORDER DENIED MOVANT'S MOTIONS FOR EXTENSIONS OF TIME TO FILE MOTION FOR DISCRETIONARY REVIEW.</b> ENTERED: FEBRUARY 2, 2011	2010-SC-000727-D	HARDIN
INQUIRY COMMISSION V. SCOTT TRUESDELL <b>ORDER PERMANENTLY DISBARRED RESPONDENT FROM THE PRACTICE OF LAW.</b> ENTERED: MARCH 24, 2011	<a href="#">2010-SC-000738-KB</a> <b>TO BE PUBLISHED</b>	IN SUPREME COURT
IN RE: GREGORY T. CANNON <b>ORDER DENYING</b> ENTERED: MARCH 24, 2011	2010-SC-000769-CF	IN SUPREME COURT
TROY KINGREY V. COMMONWEALTH OF KENTUCKY <b>ORDER GRANTED APPELLANT'S MOTION TO DISMISS DUPLICATE APPEAL.</b> ENTERED: JANUARY 26, 2011	2010-SC-000773-MR	BARREN
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. DOREEN THOMPSON <b>RESPONDENT ORDERED TO PAY \$100.00 TO THE KBA IN LIEU OF SUSPENSION FOR NON COMPLIANCE WITH CLE REQUIREMENTS.</b> ENTERED: JANUARY 26, 2011	2011-SC-000033-KB	IN SUPREME COURT

**SUPREME COURT OF KENTUCKY**

**MARCH 24, 2011 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS**

KENTUCKY BAR ASSOCIATION,  
CLE COMMISSION V.  
THOMAS EDWARD KEATING  
**RESPONDENT HAS SHOWN CAUSE  
WHY HE SHOULD NOT BE SUSPENDED  
FROM THE PRACTICE OF LAW OR  
OTHERWISE SANCTIONED.**  
ENTERED: FEBRUARY 3, 2011

2011-SC-000053-KB

IN SUPREME  
COURT

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

PAUL A. WILLIS V.  
KENTUCKY BAR ASSOCIATION  
**ENTERED: JANUARY 25, 2011**

2011-SC-000054-KB

IN SUPREME  
COURT

ROBERT E. SIMS V.  
KENTUCKY BAR ASSOCIATION  
**ENTERED: JANUARY 25, 2011**

2011-SC-000055-KB

IN SUPREME  
COURT