

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

27. DAVID R. NUNN V. [2013-SC-000814-MR](#) HARDIN
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE VENTERS –
AFFIRMING
ALL SITTING. ALL CONCUR.
- Questions Presented:**
Fleeing and evading in the second-degree, being a felon in possession of a handgun and PFO I – 20 years. Suppression of evidence found incident to a *Terry* stop. Limitations upon the right to hybrid counsel. Admission of evidence of other crimes. Comment upon post-arrest silence. Denial of motion for continuance. Imposition of court costs.
28. MOSEN KHANI V. [2014-SC-000220-WC](#) FROM COURT
ALLIANCE CHIROPRACTIC, HONORABLE OTTO D. WOLFF, ADMINISTRATIVE LAW JUDGE; AND WORKERS' COMPENSATION BOARD OF APPEALS
OPINION OF THE COURT BY
JUSTICE KELLER –
AFFIRMING
ALL SITTING. ALL CONCUR.
- Questions Presented:**
Workers' Compensation. Distinction between expert testimony and lay opinion testimony is the basis for the testimony. KRE 701. Finding of no substantial evidence of work-related injury or temporary work-related injury.
29. COMMONWEALTH OF KENTUCKY V. [2012-SC-000550-DG](#) NICHOLAS
SAMUEL TERRELL
OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
REVERSING
ALL SITTING. ABRAMSON, BARBER, CUNNINGHAM, NOBLE, AND VENTERS, JJ., CONCUR. KELLER, J., DISSENTS BY SEPARATE OPINION.
- Questions Presented:**
Criminal Law. Criminal Procedure. RCr 2.14. Sixth Amendment to the United States Constitution. *West v. Commonwealth*, 887 S.W.2d 338 (Ky. 1994). Issues include whether RCr 2.14 conflicts with the Sixth Amendment, the continued vitality of *West v. Commonwealth* and the proper interpretation and application of RCr 2.14(2).

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

30. BRITTANY DIXON, ET AL. V. DAYMAR COLLEGES GROUP, LLC, ET AL.
OPINION OF THE COURT BY CHIEF JUSTICE MINTON – REVERSING AND REMANDING
ALL SITTING. ALL CONCUR.
- [2012-SC-000687-DG](#) MCCRACKEN
TO BE PUBLISHED

Questions Presented:
Arbitration. Contract Law. Unconscionability. Issues include whether cost-prohibitiveness of arbitration can render an agreement to arbitrate unconscionable and unenforceable.

31. KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY V. KEITH JUSTIN CONLEY, ET AL.
OPINION OF THE COURT BY JUSTICE ABRAMSON – REVERSING AND REMANDING
MINTON, C.J; CUNNINGHAM, NOBLE, AND VENTERS, JJ., AND SPECIAL JUSTICE RICHARD W. MARTIN AND SPECIAL JUSTICE DAVID B. SLOAN, SITTING. ALL CONCUR.
- [2013-SC-000252-DG](#) KNOTT
TO BE PUBLISHED

Questions Presented:
Civil Procedure. Appeals. CR 59.05. CR 7.02. The issue is whether a timely CR 59.05 motion which does not state grounds is invalid due to the particularity requirements of CR 7.02 and, if so, whether filing of the CR 59.05 motion tolls the time to file an appeal.

32. BONITA BEAUMONT V. MULUKEN ZERU
OPINION OF THE COURT BY JUSTICE KELLER – REVERSING AND REMANDING
ALL SITTING. ALL CONCUR.
- [2013-SC-000489-DG](#) JEFFERSON
TO BE PUBLISHED

Questions Presented:
Motor Vehicle Insurance. Statute of Limitations. KRS 304.39-230(6). Issues involve the date of the last basic reparation payment when the last check as reported by the basic reparations obligor to the plaintiff actually was a replacement check for one previously lost by a different payee.

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

33. FRANK D. MARCUM, ET AL. V. HONORABLE ERNESTO SCORSONE, JUDGE, FAYETTE CIRCUIT COURT, ET AL. [2014-SC-000172-MR](#) FROM COURT OF APPEALS
TO BE PUBLISHED
- Questions Presented:**
Writ of Prohibition. Disqualification of law firm was improper absent a finding on the record of actual conflict of interest.
- OPINION OF THE COURT BY JUSTICE NOBLE – REVERSING AND REMANDING**
ALL SITTING. MINTON, C.J.; ABRAMSON, BARBER, CUNNINGHAM, KELLER, JJ., CONCUR. VENTERS, J., CONCURS IN RESULT ONLY BY SEPARATE OPINION.
34. REGINA D. WHITE V. HON. BARRY WILLETT, JUDGE, JEFFERSON CIRCUIT COURT, ET AL. [2014-SC-000403-MR](#) JEFFERSON
TO BE PUBLISHED
- Questions Presented:**
Writ of prohibition. Discovery. Disclosure of testifying witness' psychotherapy records.
- OPINION OF THE COURT BY JUSTICE CUNNINGHAM – REVERSING AND REMANDING**
ALL SITTING. ALL CONCUR.
35. HARROD CONCRETE AND STONE CO. V. B. TODD CRUTCHER, ETC., ET AL. [2013-SC-000549-DG](#) FRANKLIN
TO BE PUBLISHED
- Questions Presented:**
Trespass. Damages. Issues include the proper measure of damages for removal of underground limestone absent reduction in the fair market value of the real estate.
- OPINION OF THE COURT BY JUSTICE CUNNINGHAM – REVERSING, VACATING AND REMANDING**
ALL SITTING. MINTON, C.J.; ABRAMSON, BARBER, KELLER AND NOBLE, JJ., CONCUR. VENTERS, J., DISSENTS BY SEPARATE OPINION.

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

36. BOYLE MASONRY CONSTRUCTION V. [2013-SC-000297-WC](#) FROM COURT
FELIPE MEDELLIN, HONORABLE **NOT TO BE PUBLISHED** OF APPEALS
DOUGLAS W. GOTT, ADMINISTRATIVE
LAW JUDGE; AND WORKERS'
COMPENSATION BOARD
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. MINTON, C.J;
ABRAMSON AND KELLER, JJ., CONCUR.
NOBLE, J., CONCURS AND FURTHER
NOTES THAT WHEN A CONTRACTOR
SEEKS JOBS AT VARIOUS LOCATIONS,
SOMETIMES FAR AWAY FROM HIS
HOME BASE, AND KEEPS A GROUP OF
EMPLOYEES THAT HE SENDS TO EACH
NEW JOB SITE RATHER THAN HIRING
UNKNOWN WORKERS AT THE SITE, IT
IS CLEAR THAT HE RELIES ON THE
SKILLS AND TRAINING OF HIS KNOWN
EMPLOYEES, AND SENDING THEM TO A
REMOTE SITE IS A BUSINESS DECISION,
AND THEREFORE ACCRUES TO HIS
BENEFIT. VENTERS, J., DISSENTS BY
SEPARATE OPINION, WHICH BARBER
AND CUNNINGHAM, JJ., JOIN.
37. MARK ADAM CAVE V. [2013-SC-000542-MR](#) FAYETTE
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR.
38. MARZUQ LABIB NASIR-AL-DIN V. [2014-SC-000020-MR](#) DAVIESS
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR.

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

39. MARKELLE D. WHITE V. [2014-SC-000069-MR](#) JEFFERSON
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR. **NOT TO BE PUBLISHED**
40. WILLIAM YEAPLES V. [2014-SC-000129-MR](#) BOURBON
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR. **NOT TO BE PUBLISHED**
41. RANDALL E. BANKS V. [2014-SC-000176-MR](#) HART
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. MINTON, C.J;
ABRAMSON, BARBER,
CUNNINGHAM, NOBLE, AND
VENTERS, JJ., CONCUR. KELLER,
J., CONCURS IN RESULT ONLY. **NOT TO BE PUBLISHED**
42. TERRY ASHLEY V. [2014-SC-000273-WC](#) FROM COURT
MICHAEL MERCER; OVA CARMEN; OF APPEALS
UNINSURED EMPLOYERS' FUND;
HONORABLE MARCEL SMITH,
ADMINISTRATIVE LAW JUDGE;
HONORABLE OTTO D. WOLFF, IV,
ADMINISTRATIVE LAW JUDGE; AND
WORKERS' COMPENSATION BOARD
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR. **NOT TO BE PUBLISHED**

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

43. QUAD/GRAPHICS, INC. V. [2014-SC-000391-WC](#) FROM COURT
MARIO HOLGUIN; HONORABLE **NOT TO BE PUBLISHED** OF APPEALS
EDWARD D. HAYS, ADMINISTRATIVE
LAW JUDGE; AND WORKERS'
COMPENSATION BOARD
**MEMORANDUM OPINION OF
THE COURT – AFFIRMING**
ALL SITTING. ALL CONCUR.

OPINION AND ORDER – FEBRUARY 23, 2015

JAMES KIDD V. 2013-SC-000608-DG LEE
COMMONWEALTH OF KENTUCKY
**ORDER REVERSED THE OPINION OF THE
COURT OF APPEALS, VACATED THE TRIAL
COURT’S ORDER REVOKING PROBATION,
AND REMANDED BACK TO THE LEE CIRCUIT
COURT WITH DIRECTIONS TO ISSUE FINDINGS
CONSISTENT WITH IN THIS COURT’S HOLDING IN
COMMONWEALTH V. ANDREWS, 448 S.W.3D
773 (KY. 2014), AND KENTUCKY REVISED
STATUTE 439.3106.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
KELLER, NOBLE, AND VENTERS, JJ.,
SITTING. MINTON, C.J.; ABRAMSON, KELLER,
NOBLE, AND VENTERS, JJ., CONCUR.
CUNNINGHAM, J., DISSENTS AND WOULD
DISMISS KIDD’S APPEAL AS MOOT FOR
REASONS STATED IN HUNT V.
COMMONWEALTH, 326 S.W.3D 437, 440-41 (KY. 2010).

OPINION AND ORDERS – APRIL 2, 2015

KENTUCKY BAR ASSOCIATION V. [2014-SC-000481-KB](#) IN SUPREME
MICHAEL R. MCMAHON **TO BE PUBLISHED** COURT
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 181 DAYS.**
ALL SITTING. ALL CONCUR.

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

OPINION AND ORDERS – APRIL 2, 2015

KENTUCKY BAR ASSOCIATION V.
KARL NELSON TRUMAN
ORDER OF PUBLIC REPRIMAND.
ALL SITTING. ALL CONCUR.

[2014-SC-000645-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

JAMES M. CAWOOD V.
KENTUCKY BAR ASSOCIATION
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 1 YEAR PROBATED
FOR 3 YEARS WITH CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2014-SC-000664-KB](#)
TO BE PUBLISHED

(AMENDED 4-6-15)
IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
CHRISTOPHE G. STEWART
ORDER OF PUBLIC REPRIMAND.
ALL SITTING. ALL CONCUR.

[2014-SC-000675-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
MICHAEL R. MCMAHON
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 181 DAYS WITH
CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2014-SC-000676-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
CLYDE F. JOHNSON
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 5 YEARS WITH
CONDITIONS.**
MINTON, C.J.; ABRAMSON, CUNNINGHAM,
KELLER, NOBLE, AND VENTERS, JJ.,
CONCUR. BARBER, J., NOT SITTING.

[2014-SC-000718-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

DENNIS MICHAEL RITCHIE V.
KENTUCKY BAR ASSOCIATION
**ORDER OF PERMANENT DISBARMENT
FROM THE PRACTICE OF LAW.**
ALL SITTING. ALL CONCUR.

[2015-SC-000020-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

OPINION AND ORDERS – APRIL 2, 2015

KENTUCKY BAR ASSOCIATION V.
MICHAEL LINDEN MYERS
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 30 DAYS PROBATED
FOR 2 YEARS WITH CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2015-SC-000051-KB](#)
TO BE PUBLISHED

(AMENDED 4-6-15)
IN SUPREME
COURT

BETHANNI FORBUSH-MOSS V.
KENTUCKY BAR ASSOCIATION
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 61 DAYS PROBATED
FOR 2 YEARS WITH CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2015-SC-000069-KB](#)
TO BE PUBLISHED

(AMENDED 4-6-15)
IN SUPREME
COURT

ROBERT L. HORRELL V.
KENTUCKY BAR ASSOCIATION
**ORDER OF SUSPENSION REVOKED WITH
CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2015-SC-000081-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

RODERICK A. TEJEDA V.
KENTUCKY BAR ASSOCIATION
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 4 YEARS WITH
CONDITIONS.**
ALL SITTING. ALL CONCUR.

[2015-SC-000102-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

MICHAEL A. HAMILTON V.
KENTUCKY BAR ASSOCIATION
**ORDER DENYING MOTION FOR
REINSTATEMENT.**
ALL SITTING. ALL CONCUR.

2015-SC-000104-KB
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

OPINION AND ORDERS – APRIL 2, 2015

KENTUCKY BAR ASSOCIATION V.
CHARLES H. SCHAFFNER
**ORDER OF SUSPENSION FROM THE
PRACTICE OF LAW FOR 180 DAYS.**

[2015-SC-000108-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

MINTON, C.J.; ABRAMSON, BARBER,
CUNNINGHAM, NOBLE, AND VENTERS, JJ.,
SITTING. ALL CONCUR. KELLER, J., NOT
SITTING.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

COMMONWEALTH OF KENTUCKY V.
DAVID MCKEE

2014-SC-000255-DG

BREATHITT

PHILADELPHIA INDEMNITY INSURANCE
COMPANY, INC. V.
RICHARD TRYON, ET AL.

2014-SC-000354-DG

JEFFERSON

AND
ENCOMPASS INDEMNITY COMPANY V.
RICHARD TRYON, ET AL.

2014-SC-000357-DG

JEFFERSON

KENTUCKY PROPERTIES HOLDING, LLC. V.
DONALD SPROUL

2014-SC-000368-DG

GALLATIN

GARY MARTIN V.
STEPHEN O'DANIEL

2014-SC-000373-DG

FRANKLIN

AND
MIKE SAPP V.
STEPHEN O'DANIEL

2014-SC-000389-DG

FRANKLIN

AND
BOBBY MOTLEY V.
STEPHEN O'DANIEL

2014-SC-000394-DG

FRANKLIN

COMMONWEALTH OF KENTUCKY V.
IRIS JENNINGS
ALL SITTING. ALL CONCUR.

2014-SC-000419-DG

KENTON

DEVLIN BURKE V.
COMMONWEALTH OF KENTUCKY

2014-SC-000472-DG

KENTON

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

COMMONWEALTH OF KENTUCKY V. MICHAEL BRANN ORDER GRANTED DISCRETIONARY REVIEW, VACATED THE COURT OF APPEALS' OPINION AND REMANDED BACK TO THE COURT OF APPEALS FOR FURTHER CONSIDERATION CONSISTENT WITH THIS COURT'S OPINION IN COMMONWEALTH V. ANDREWS, 448 S.W.3D 773 (KY. 2014). ENTERED: MARCH 25, 2015	2014-SC-000477-DG	GRAVES
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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

TIFFANY LANHAM V. COMMONWEALTH OF KENTUCKY KELLER, J., NOT SITTING.	2013-SC-000033-D	CRITTENDEN
KIT PRESCOTT V. COMMONWEALTH OF KENTUCKY	2014-SC-000126-D	HARDIN
ADRAIN LAMONT BENTON V. COMMONWEALTH OF KENTUCKY	2014-SC-000144-D	FAYETTE
BOARD OF REGENTS OF KENTUCKY STATE UNIVERSITY, ET AL. V. PAUL WINTERS	2014-SC-000160-D	FRANKLIN
ADAM ANTHONY BARKER V. COMMONWEALTH OF KENTUCKY ABRAMSON, J., NOT SITTING.	2014-SC-000185-D	JEFFERSON
JESSIE SEBASTIAN V. COMMONWEALTH OF KENTUCKY	2014-SC-000278-D	CALDWELL & LYON
CITY OF HILLVIEW V. TRUCK AMERICA TRAINING, LLC, ET AL. THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2014-SC-000293-D	BULLITT

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

KEITHA DURHAM, INDIVIDUALLY, ETC. V. FORD MOTOR COMPANY	2014-SC-000315-D	JEFFERSON
COMMONWEALTH OF KENTUCKY V. B.B., A CHILD UNDER EIGHTEEN THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED. CUNNINGHAM AND KELLER, JJ., WOULD GRANT.	2014-SC-000316-D	JEFFERSON
JACKIE ADKINS V. COMMONWEALTH OF KENTUCKY	2014-SC-000319-D	SHELBY
RICHARD C. CHILTON, ET AL. V. LI AN CHOU THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED. ABRAMSON, J., NOT SITTING.	2014-SC-000335-D	JEFFERSON
BRETT MARTIN V. COMMONWEALTH OF KENTUCKY	2014-SC-000336-D	GARRARD
STOUT'S FEED STORE, INC., ETC. V. PEOPLE'S BANK OF BULLITT COUNTY	2014-SC-000347-D	BULLITT
LORA N. PASCHAL V. LANDMARK COMMUNITY NEWSPAPERS OF KENTUCKY, INC., ETC., ET AL.	2014-SC-000348-D	SHELBY
SANITATION DISTRICT NO. 1 V. LEE WHITE KELLER, J., WOULD GRANT.	2014-SC-000350-D	KENTON
MAC'S CONVENIENCE STORES, LLC, ETC. V. DANNY EMBRY CUNNINGHAM, J., WOULD GRANT.	2014-SC-000381-D	JEFFERSON

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

RUBEN RIOS SALINAS V. COMMONWEALTH OF KENTUCKY CUNNINGHAM, J., NOT SITTING.	2014-SC-000382-D	FAYETTE
TRAVELERS INUSRANCE COMPANY, ETC. V. CHRISTY LARIMORE ADMINSTRATRIX, ETC., ET AL.	2014-SC-000387-D	JEFFERSON
DIANE BUSH V. KENTUCKY RETIREMENT SYSTEM	2014-SC-000402-D	FRANKLIN
DONALD R. RICHARDSON V. KENTUCKY HIGHLANDS INVESTMENT CORPORATION, ET AL.	2014-SC-000407-D	WAYNE
DAVID P. SANGSTER, M.D. V. KENTUCKY BOARD OF MEDICAL LICENSURE, ET AL.	2014-SC-000413-D	JEFFERSON
COMMONWEALTH OF KENTUCKY, BOARD OF CHIROPRACTIC EXAMINERS V. CHARLES BARLOW, M.D., ET AL.	2014-SC-000420-D	FRANKLIN
HERBERT EUGENE LEE, III V. COMMONWEALTH OF KENTUCKY	2014-SC-000421-D	JEFFERSON
JOHN GOROSTIZA V. COMMONWEALTH OF KENTUCKY	2014-SC-000431-D	BALLARD
SHERLEY MCDONALD, ET AL. V. LEON PARROTT, TRUSTEE OF THE RICHLAND CHRISTIAN CHURCH, ET AL. ABRAMSON, J., NOT SITTING.	2014-SC-000433-D	KNOX
JASON WAYNE GREGORY V. COMMONWEALTH OF KENTUCKY	2014-SC-000451-D	JEFFERSON

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
MARCH 25, 2015**

MARQUIS TERMINAL, INC. V. STEVE JONES	2014-SC-000458-D	BOYD
MARLENE HUDSON MARTIN, ET AL. V. TIMOTHY ANTLE, ET AL.	2014-SC-000479-D	RUSSELL
BILLY BROWN V. COMMONWEALTH OF KENTUCKY	2014-SC-000496-D	KNOX
ROBERT TAYLOR, JR. V. COMMONWEALTH OF KENTUCKY	2014-SC-000591-D	NELSON
COURTNEY GRAY V. COMMONWEALTH OF KENTUCKY	2014-SC-000597-D	MONTGOMERY
LEROY FRYREAR V. COMMONWEALTH OF KENTUCKY CUNNINGHAM, J., NOT SITTING.	2014-SC-000611-D	JEFFERSON
B.A.G. V. M.E.J. CUNNINGHAM, J., WOULD GRANT.	2014-SC-000658-DE	KENTON
Z. J. C., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2014-SC-000734-DE	KENTON
CABINET FOR HEALTH AND FAMILY SERVICES, ETC., ET AL. V. J.T., FATHER	2015-SC-000042-DE	WOODFORD

**COURT ORDER DENYING BELATED MOTION FOR ENLARGEMENT OF TIME TO FILE
MOTION FOR DISCRETIONARY REVIEW – MARCH 30, 2015**

TONY HODGE V. STEVE HANEY, WARDEN, NORTHPOINT TRAINING CENTER, ET AL. VENTERS, ABRAMSON, CUNNINGHAM AND KELLER, JJ., SITTING. ALL CONCUR. ENTERED: MARCH 30, 2015	2015-SC-000033-D	BOYLE
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SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

COURT ORDERS DENYING PETITION FOR REHEARING – APRIL 2, 2015

SAMUEL CRABTREE V. COMMONWEALTH OF KENTUCKY ALL SITTING. ALL CONCUR.	2012-SC-000591-DG	MADISON
US BANK HOME MORTGAGE V. ANDREA SCHRECKER, ET AL. ALL SITTING. ALL CONCUR.	2012-SC-000665-WC	FROM COURT OF APPEALS
CUDDIE HOLBROOK V. COMMONWEALTH OF KENTUCKY ALL SITTING. ALL CONCUR.	2012-SC-000703-MR 2012-SC-000704-MR	FAYETTE
ANTONIO ELLISON V. COMMONWEALTH OF KENTUCKY ALL SITTING. ALL CONCUR.	2013-SC-000518-MR	JEFFERSON
AARON BASHAM V. COMMONWEALTH OF KENTUCKY ALL SITTING. ALL CONCUR.	2013-SC-000588-MR	JEFFERSON
JOHNNY WILDER V. ENTERPRISE MINING, HONORABLE WILLIAM J. RUDLOFF, ADMINISTRATIVE LAW JUDGE; AND WORKERS' COMPENSATION BOARD ALL SITTING. ALL CONCUR.	2014-SC-000085-WC	FROM COURT OF APPEALS

COURT ORDERS DISMISSING

JAMES KIDD V. COMMONWEALTH OF KENTUCKY ORDER OF DISMISSAL. VENTERS, ABRAMSON, CUNNINGHAM AND KELLER, JJ., SITTING. ALL CONCUR. ENTERED: MARCH 30, 2015	2013-SC-000608-DG	LEE
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SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

COURT ORDERS DISMISSING

DANIEL JOSEPH KLOIBER V. HONORABLE LUCINDA MASTERTON, JUDGE, FAYETTE FAMILY COURT, ET AL. ORDER OF DISMISSAL. VENTERS, ABRAMSON, CUNNINGHAM AND KELLER, JJ., SITTING. ALL CONCUR. ENTERED: MARCH 30, 2015	2014-SC-000167-MR	FROM COURT OF APPEALS
KENTUCKY BAR ASSOCIATION V. JEFFREY M. BLUM ORDER OF DISMISSAL. ALL SITTING. ALL CONCUR. ENTERED: APRIL 2, 2015	2014-SC-000409-KB	IN SUPREME COURT
COMMONWEALTH OF KENTUCKY V. DARRELL W. JACKSON ENTERED: MARCH 19, 2015	2014-SC-000636-MR	JEFFERSON
UNIVERSITY MEDICAL CENTER, INC. V. AMERICAN CIVIL LIBERTIES UNION OF KENTUCKY, INC., ET AL. ENTERED: FEBRUARY 19, 2015	2014-SC-000657-D	JEFFERSON
H & H PAINTING, LLC, ET AL. V. D.W. WILBURN, INC., ET AL. ENTERED: MARCH 30, 2015	2015-SC-000053-D	FAYETTE
CLARENCE CRUMBLE V. HON. MARTIN SHEEHAN, JUDGE, KENTON CIRCUIT COURT, DIVISION 1, ET AL. ENTERED: MARCH 13, 2015	2015-SC-000068-MR	FROM COURT OF APPEALS
MICHAEL DAVID DAVIS V. KASSANDRA DAVIS ENTERED: MARCH 12, 2015	2015-SC-000087-DR	CALLOWAY
PHARMERICA CORPORATION, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION ALL SITTING. ALL CONCUR. ENTERED: APRIL 2, 2015	2015-SC-000091-I	JEFFERSON

SUPREME COURT OF KENTUCKY

APRIL 2, 2015 MINUTES

RELEASED: 10:00 A.M.

COURT ORDERS

PENNYRILE ALLIED COMMUNITY
SERVICES, INC. V.
KATRICIA ROGERS

[2013-SC-000012-DG](#)
TO BE PUBLISHED

PERRY

**ORDER CORRECTED THE OPINION OF THE
COURT BY JUSTICE VENTERS RENDERED
FEBRUARY 19, 2015, BY SUBSTITUTION OF
THE ENTIRE OPINION IN LIEU OF THE
ORIGINAL.**

ENTERED: MARCH 3, 2015

JAMES A. MAPLES V.
KENTUCKY BAR ASSOCIATION
**ORDER OF SUSPENSION REVOKED WITH
CONDITIONS.**

2015-SC-000052-KB

IN SUPREME
COURT

ALL SITTING. ALL CONCUR.

IN RE: ROBERT A. WINTER, JR., ET AL. V.
HON. STEVEN D. WOLNITZEK, ETC., ET AL.
**ORDER ACCEPTING REQUEST FOR
CERTIFICATION OF THE LAW.**

2015-SC-000086-CL

FEDERAL

ALL SITTING. ALL CONCUR.

ENTERED: APRIL 2, 2015

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

THOMAS WILLIAM RUMPKE V.
KENTUCKY BAR ASSOCIATION
ENTERED: MARCH 3, 2015

2015-SC-000109-KB

IN SUPREME
COURT

JOE L. TRAVIS V.
KENTUCKY BAR ASSOCIATION
ENTERED: MARCH 3, 2015

2015-SC-000110-KB

IN SUPREME
COURT