

SUPREME COURT OF KENTUCKY

AUGUST 24, 2023 RULINGS

RELEASED: 10:00 A.M.

77. PRIMAL VANTAGE COMPANY, INC. V. [2020-SC-0247-DG](#) JEFFERSON
KEVIN O'BRYAN, ET AL. **TO BE PUBLISHED**

AND

KEVIN O'BRYAN V. [2021-SC-0064-DG](#) JEFFERSON
PRIMAL VANTAGE COMPANY, INC., ET AL. **TO BE PUBLISHED**

AND

SANTE' O'BRYAN V. [2021-SC-0065-DG](#) JEFFERSON
PRIMAL VANTAGE COMPANY, INC., ET AL. **TO BE PUBLISHED**

**OPINION OF THE COURT - AFFIRMING
IN PART, REVERSING IN PART, AND
REMANDING**

VANMETER, C.J.; BISIG, CONLEY, KELLER,
LAMBERT, AND NICKELL, JJ., SITTING.
ALL CONCUR. THOMPSON, J., NOT
SITTING.

Questions Presented:

Tort Law. Products Liability. Petition for Rehearing. Issues to be considered on rehearing include: (1) whether the trial court erred in granting a directed verdict on design defect claims asserted against Primal Vantage Company, Inc.; (2) whether evidence of other incidents was admissible; and (3) if the evidence of other incidents was not admissible, was its admission harmless.

78. MICHAEL ROBERTSON V. [2021-SC-0485-MR](#) DAVIESS
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**

**OPINION OF THE COURT BY JUSTICE
KELLER - AFFIRMING**

ALL SITTING. ALL CONCUR.

Questions Presented:

Criminal Law. Marsy's Law. KRE 615. In this matter of right appeal, the Court considers whether it was error to allow the Commonwealth to refer to an accuser as a "victim" during trial and for a representative of that alleged victim to remain in the courtroom throughout the trial.

79. JOYCE TURNER V.
NORTON HEALTHCARE, INC.

[2022-SC-0004-DG](#)
TO BE PUBLISHED

JEFFERSON

**OPINION OF THE COURT BY JUSTICE
CONLEY - AFFIRMING**

ALL SITTING. ALL CONCUR.

Questions Presented:

Employment Relations. Kentucky Civil Rights Act. Disability Discrimination. Issues include whether a qualifying “disability” under KRS 344.010(4) includes “major life activities” as defined in the 2008 amendments to the Americans with Disabilities Act (42 U.S.C. §12102) to include operations of “major bodily functions” such as “normal cell growth.

80. COMMONWEALTH OF KENTUCKY V.
WILLIAM BEMBURY

[2022-SC-0018-DG](#)
TO BE PUBLISHED

FAYETTE

**OPINION OF THE COURT BY JUSTICE
LAMBERT - REVERSING**

BISIG, CONLEY, KELLER, LAMBERT,
NICKELL, AND THOMPSON, JJ., SITTING.
BISIG, CONLEY AND NICKELL, JJ.,
CONCUR. NICKELL, J., CONCURS BY
SEPARATE OPINION. KELLER, J., DISSENTS
BY SEPARATE OPINION IN WHICH
THOMPSON, J., JOINS. THOMPSON, J.,
DISSENTS BY SEPARATE OPINION.
VANMETER, C.J., NOT SITTING.

Questions Presented:

Criminal Law. Fourth Amendment. Search Incident to Arrest. Backpacks, Purses, Bags. Issues include whether the police properly searched the defendant’s backpack incident to his arrest when: (1) the police saw the defendant remove suspected synthetic marijuana from his backpack and sell it to a third party; (2) the police arrested and handcuffed the defendant immediately upon confronting him; (3) the police searched the backpack within minutes of the defendant’s arrest; and (4) the defendant was handcuffed before the police searched his backpack.

81 JASON BARRETT V.
COMMONWEALTH OF KENTUCKY

[2022-SC-0068-MR](#)
TO BE PUBLISHED

OHIO

**OPINION OF THE COURT BY JUSTICE
KELLER - AFFIRMING**

ALL SITTING. ALL CONCUR.

Questions Presented:

Criminal Law. Prosecutorial Statements. In this matter of right appeal, issues include whether the Commonwealth impermissibly made statements which tended to influence the jury's evaluation of the burden of proof.

82. SHAN WOLFE V.
JOE KIMMEL, ET AL.

[2022-SC-0070-DG](#)
TO BE PUBLISHED

MCCRACKEN

**OPINION OF THE COURT BY JUSTICE
LAMBERT - AFFIRMING**

VANMETER, C.J.; BISIG, CONLEY, KELLER,
LAMBERT, AND THOMPSON, JJ., SITTING.
ALL CONCUR. NICKELL, J., NOT SITTING.

Questions Presented:

Attorney Malpractice. Statute of Limitations. KRS 413.245. Fixed, Nonspeculative Damages. On which date did the client's damages become fixed and nonspeculative, starting the running of the statute of limitations for legal malpractice: (1) when the client learned that the attorney's bad advice would likely cause her to owe damages to her former business partner; or (2) when the client and her former business partner settled the lawsuit spawned by the attorney's bad advice?

83. NEW ALBANY MAIN STREET PROPERTIES,
LLC D/B/A PORT OF LOUISVILLE, ET AL. V.
R. WAYNE STRATTON, CPA, ET AL.

[2022-SC-0254-DG](#)
TO BE PUBLISHED

JEFFERSON

**OPINION OF THE COURT BY JUSTICE
THOMPSON - AFFIRMING**

ALL SITTING. ALL CONCUR.

Questions Presented:

Arbitration. Expert Witness. Defamation. Quasi-Judicial Proceedings. Judicial Statements Privilege. Issues include whether the judicial statements privilege applies to statements made in preparation for and during arbitration.

84. DANIEL FARLEY V.
P&P CONSTRUCTION, INC., ET AL.

[2022-SC-0350-WC](#)
TO BE PUBLISHED

COURT OF
APPEALS

**OPINION OF THE COURT BY JUSTICE
THOMPSON - AFFIRMING**

ALL SITTING. ALL CONCUR.

Questions Presented:

Workers' Compensation. KRS 342.020(4). In this appeal from the Court of Appeals' decision affirming the Workers' Compensation Board, issues include whether medical providers are required to submit billings within 45-days of service regardless of whether a determination of liability has been made yet, and whether employers are responsible for billings submitted after the 45-day period.

85. KEITH KUZYK V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT - AFFIRMING
ALL SITTING. ALL CONCUR.
- [2021-SC-0534-MR](#)
NOT TO BE PUBLISHED
- CHRISTIAN
86. ANTHONY STALCUP V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT - AFFIRMING
ALL SITTING. ALL CONCUR.
- [2021-SC-0552-MR](#)
NOT TO BE PUBLISHED
- MCCRACKEN
87. FLOYD J. SEXTON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT - AFFIRMING
ALL SITTING. VANMETER, C.J.; BISIG, CONLEY, KELLER, LAMBERT, AND NICKELL, JJ., CONCUR. THOMPSON, J., CONCURS IN RESULT ONLY.
- [2022-SC-0031-MR](#)
NOT TO BE PUBLISHED
- FLOYD
88. DAVID WECKMAN, JR. V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT - AFFIRMING
ALL SITTING. ALL CONCUR.
- [2022-SC-0079-MR](#)
NOT TO BE PUBLISHED
- JEFFERSON
89. DAVID WILLIAMS V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE COURT - AFFIRMING IN PART, VACATING IN PART, AND REMANDING
ALL SITTING. VANMETER, C.J.; BISIG, CONLEY, KELLER, NICKELL, AND THOMPSON, JJ., CONCUR. LAMBERT, J., CONCURS IN RESULT ONLY.
- [2022-SC-0099-MR](#)
NOT TO BE PUBLISHED
- FAYETTE

- | | | | |
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| 90. | COMMONWEALTH OF KENTUCKY V.
JOSHUA MORSCH

AND

COMMONWEALTH OF KENTUCKY V.
JOSHUA MORSCH

AND

COMMONWEALTH OF KENTUCKY V.
KATHY STEWART

MEMORANDUM OPINION OF THE
COURT - <u>VACATING AND REMANDING</u>

ALL SITTING. ALL CONCUR. | 2022-SC-0062-MR
NOT TO BE PUBLISHED | CLAY |
| 91. | DAQUANTAE DELANE SMITH V.
COMMONWEALTH OF KENTUCKY

MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING</u>

BISIG, CONLEY, KELLER, LAMBERT,
NICKELL, AND THOMPSON, JJ., SITTING.
ALL CONCUR. VANMETER, C.J., NOT
SITTING. | 2022-SC-0135-MR
NOT TO BE PUBLISHED | FAYETTE |
| 92. | TAYNANDREE D. REED V.
COMMONWEALTH OF KENTUCKY

MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING</u>

ALL SITTING. ALL CONCUR. | 2022-SC-0152-MR
NOT TO BE PUBLISHED | HARDIN |
| 93. | JAMES STEVEN ROWE V.
COMMONWEALTH OF KENTUCKY

MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING</u>

ALL SITTING. ALL CONCUR. | 2022-SC-0166-MR
NOT TO BE PUBLISHED | PIKE |

94. TIMOTHY GANTHER V.
COMMONWEALTH OF KENTUCKY
- [2022-SC-0237-MR](#)
NOT TO BE PUBLISHED
- FAYETTE
- MEMORANDUM OPINION OF THE
COURT - AFFIRMING**
- ALL SITTING. ALL CONCUR.
95. ZACHARIAH MINIX V.
COMMONWEALTH OF KENTUCKY
- [2022-SC-0330-MR](#)
NOT TO BE PUBLISHED
- ADAIR
- MEMORANDUM OPINION OF THE
COURT - AFFIRMING**
- ALL SITTING. ALL CONCUR.
96. YAMAMOTO FB ENGINEERING, INC. V.
KACIE ELROD, AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
KIMBERLY ALLEN, ET AL.
- [2022-SC-0381-WC](#)
NOT TO BE PUBLISHED
- COURT OF
APPEALS
- MEMORANDUM OPINION OF THE
COURT - AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING**
- VANMETER, C.J.; BISIG, CONLEY, KELLER,
LAMBERT, AND NICKELL, JJ., SITTING.
ALL CONCUR. THOMPSON, J., NOT
SITTING.
97. JAMES RAY FOLEY V.
PEGASUS TRANSPORTATION/CRST
INTERNATIONAL, ET AL.
- [2022-SC-0488-WC](#)
NOT TO BE PUBLISHED
- COURT OF
APPEALS
- MEMORANDUM OPINION OF THE
COURT - AFFIRMING**
- ALL SITTING. ALL CONCUR.

**OPINION AND ORDER GRANTING DISCRETIONARY REVIEW AND REMANDING-
August 18, 2023**

AARON DEXTER WRIGHT V.
COMMONWEALTH OF KENTUCKY

[2023-SC-0058-D](#)

DAVIS

ALL SITTING. ALL CONCUR.

OPINION AND ORDERS - August 24, 2023

D. STEVEN PARKS V.
KENTUCKY BAR ASSOCIATION

[2021-SC-0475-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER DENYING
REINSTATEMENT**

ALL SITTING. ALL CONCUR.

RICHARD DAVIS NULL V.
KENTUCKY BAR ASSOCIATION

[2022-SC-0422-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER IMPOSING
PROBATED SUSPENSION**

VANMETER, C.J.; BISIG, CONLEY, KELLER,
LAMBERT, AND THOMPSON, JJ., SITTING.
ALL CONCUR. NICKELL, J., NOT SITTING.

MICHAEL VAUGHAN V.
HONORABLE LARRY E. THOMPSON, ET
AL.

[2023-SC-0105-OA](#)
NOT TO BE PUBLISHED

OLDHAM

OPINION AND ORDER DENYING WRIT

BISIG, CONLEY, KELLER, LAMBERT,
NICKELL, AND THOMPSON, JJ., SITTING.
ALL CONCUR. VANMETER, C.J., NOT
SITTING.

OPINION AND ORDERS - August 24, 2023

SHAMEKA LYNN O'NEIL V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0148-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER - PUBLIC
REPRIMAND**

ALL SITTING. ALL CONCUR.

KENTUCKY BAR ASSOCIATION V.
DAVID LEE HARGROVE

[2023-SC-0149-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER SUSPENDING FOR
150 DAYS**

ALL SITTING. VANMETER, C.J.; BISIG,
CONLEY, KELLER, AND THOMPSON, JJ.,
CONCUR. NICKELL, J., CONCURS IN
RESULT ONLY. LAMBERT, J., DISSENTS
WITHOUT SEPARATE OPINION.

KENTUCKY BAR ASSOCIATION V.
LEILA LOUISE HALE

[2023-SC-0165-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER - PUBLIC
REPRIMAND**

ALL SITTING. ALL CONCUR.

BRADLEY STUART SOWELL V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0179-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

OPINION AND ORDER REINSTATING

ALL SITTING. ALL CONCUR.

ROBERT BRIAN OUSLEY V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0186-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER RETROACTIVELY
SUSPENDING FOR 5 YEARS**

ALL SITTING. ALL CONCUR.

OPINION AND ORDERS - August 24, 2023

KENTUCKY BAR ASSOCIATION V.
DAVID ALAN COHEN

[2023-SC-0203-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER SUSPENDING FOR
3 YEARS**

ALL SITTING. ALL CONCUR.

JOE STEWART WHEELER V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0214-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER PERMANENTLY
DISBARRING**

VANMETER, C.J.; BISIG, CONLEY, KELLER,
LAMBERT, AND NICKELL, JJ., SITTING.
ALL CONCUR. VANMETER, C.J., CONCURS
BY SEPARATE OPINION IN WHICH BISIG
AND CONLEY, JJ., JOIN. THOMPSON, J.,
NOT SITTING.

TONY BRANDON MILLER V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0219-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER RETROACTIVELY
SUSPENDING FOR 181 DAYS**

ALL SITTING. ALL CONCUR.

RICHARD BOLING V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0279-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

**OPINION AND ORDER DENYING
NEGOTIATED SANCTION**

ALL SITTING. VANMETER, C.J.; BISIG,
CONLEY, KELLER, AND LAMBERT, JJ.,
CONCUR. NICKELL AND THOMPSON, JJ.,
DISSENT WITHOUT SEPARATE OPINION.

MEREDITH LYNN LAWRENCE V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0291-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

OPINION AND ORDER REINSTATING

ALL SITTING. ALL CONCUR.

ORDER GRANTING DISCRETIONARY REVIEW (ORAL ARGUMENT) - August 16, 2023

SHIVELY POLICE DEPARTMENT V. COURIER JOURNAL, INC.	2023-SC-0033-DG	JEFFERSON
HARNED, S.J. AND KEY, S.J., SITTING. BISIG AND THOMPSON, JJ., NOT SITTING.		
WOOSTER MOTOR WAYS, INC., ET AL. V. MICHAEL GONTERMAN, ET AL.	2023-SC-0062-DG	HENRY
TIMOTHY S. HART, MD P.S.C. D/B/A HART FAMILY CARE V. COMMONWEALTH OF KENTUCKY, KENTUCKY UNEMPLOYMENT INSURANCE COMMISSION, ET AL.	2023-SC-0117-DG	BOYD
SUSAN SHEEHY V. HENRY VOLENTINE, INDIVIDUALLY, ET AL.	2023-SC-0129-DG	HARDIN
BOARD OF EDUCATION OF PARIS, KENTUCKY V. JASON EARLYWINE	2023-SC-0142-DG	FRANKLIN
DONNA MILLER BRUENGER, ET AL. V. COURTENAY ANN MILLER	2023-SC-0156-DG	JEFFERSON
COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS V. LEAH ATKINSON, ET AL.	2023-SC-0173-DG	FLOYD
STATE AUTO PROPERTY & CASUALTY COMPANY, ET AL. V. GREENVILLE CUMBERLAND PRESBYTERIAN CHURCH	2023-SC-0220-DG	MUHLENBERG

ORDER GRANTING DISCRETIONARY REVIEW (ORAL ARGUMENT) - August 16, 2023

PROFESSIONAL HOME HEALTH CARE V. [2023-SC-0226-DG](#) FRANKLIN
COMMONWEALTH OF KENTUCKY
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.

ORDER GRANTING DISCRETIONARY REVIEW (NO ORAL ARGUMENT) - August 16, 2023

COMMONWEALTH OF KENTUCKY V. [2023-SC-0178-DG](#) FAYETTE
AHMAD RASHAD DAVIS
THOMPSON, J., NOT SITTING.

ORDER DENYING DISCRETIONARY REVIEW - August 16, 2023

LARRY BAILEY V. [2022-SC-0533-D](#) FRANKLIN
WEST LAUREL WATER ASSOCIATION, ET
AL.
THOMPSON, J., NOT SITTING.

ROBERT MANLEY V. [2022-SC-0555-DE](#) OLDHAM
AMY ROBEY, WARDEN, LUTHER LUCKETT
CORRECTIONAL COMPLEX

CHRISTOPHER D. THOMAS V. [2022-SC-0556-D](#) FRANKLIN
EDUCATION PROFESSIONAL STANDARDS
BOARD, ET AL.
THOMPSON, J., NOT SITTING.

LEILA SALISBURY, AS EXECUTRIX OF THE [2023-SC-0060-D](#) FAYETTE
ESTATE OF HOLLY BUCKNER SALISBURY
V.
SCOTT ROTH, M.D., ET AL.

ORDER DENYING DISCRETIONARY REVIEW - August 16, 2023

EMILIE FOJAN V. SCOTT MALLORY, ET AL.	<u>2023-SC-0077-D</u>	SCOTT
BISIG, NICKELL, AND THOMPSON, JJ., WOULD GRANT DISCRETIONARY REVIEW.		
HARRY B. O'DONNELL, IV V. LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT	<u>2023-SC-0102-D</u>	JEFFERSON
NATHAN LOCKARD, ET AL. V. AMERICAN BOTANICALS, LLC	<u>2023-SC-0111-D</u>	PIKE
LEONEL MIRANDA MARTINEZ V. COMMONWEALTH OF KENTUCKY	<u>2023-SC-0121-D</u>	DAVISS
SCOTTY HALSEY V. HOLBROOK IMPLEMENT CO., LLC	<u>2023-SC-0122-D</u>	MENIFEE
JAMES MICHAEL EVERETT V. GREGORY PAUL EDELEN, ET AL.	<u>2023-SC-0131-D</u>	MARION
CUT-N-SHOOT, L.L.C., ET AL. V. BINGHAM GREENEBAUM DOLL, LLP THOMPSON, J., NOT SITTING.	<u>2023-SC-0134-D</u>	GALLATIN
OHAD HOLZBERG V. AMY ROCHELLE GREEN THOMPSON, J., NOT SITTING.	<u>2023-SC-0140-D</u>	JEFFERSON
CHRIS JOHNSON V. AKERS DEVELOPMENT, LLC, ET AL.	<u>2023-SC-0146-D</u>	PIKE

ORDER DENYING DISCRETIONARY REVIEW - August 16, 2023

GENESSON BERAUT V. COMMONWEALTH OF KENTUCKY	2023-SC-0150-D	HENDERSON
DARRELL D. BROWN V. COMMONWEALTH OF KENTUCKY	2023-SC-0151-D	HARDIN
KEVIN LAMONT ADAMS V. COMMONWEALTH OF KENTUCKY	2023-SC-0153-D	JEFFERSON
DANILO FERNANDEZ DAVILA V. COMMONWEALTH OF KENTUCKY	2023-SC-0155-D	MUHLENBERG
JORDAN BROWN V. COMMONWEALTH OF KENTUCKY	2023-SC-0162-D	MUHLENBERG
KEVIN A. MCKIM, ET AL. V. MARY K. MCKIM, ET AL.	2023-SC-0170-D	JEFFERSON
JOHN SAWYER, ET AL. V. DARYL JOHNSON, ET AL.	2023-SC-0171-D	METCALFE
LARRY LOVE V. COMMONWEALTH OF KENTUCKY	2023-SC-0172-D	HART
DAVID BURKS V. BOARD OF TRUSTEES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT POLICE AND FIREFIGHTERS' RETIREMENT FUND	2023-SC-0176-D	FAYETTE
TERRI SMITH V. JAMES D. ALLISON, ET AL.	2023-SC-0177-D	HENRY

ORDER DENYING DISCRETIONARY REVIEW - August 16, 2023

EDWARD BOWLES V. [2023-SC-0182-D](#) CHRISTIAN
COMMONWEALTH OF KENTUCKY

TIMOTHY MCILWAIN V. [2023-SC-0183-DE](#) JEFFERSON
BROOKE BERRY

ESTATE OF DONALD SPICER, BY AND [2023-SC-0191-D](#) CLARK
THROUGH KEITH SPICER, EXECUTOR V.
LYNN B. ROSE

JACK HURST V. [2023-SC-0192-D](#) NELSON
THOMAS M. GREER

SARAH CORNETT V. [2023-SC-0193-D](#) FAYETTE
STUDENT LOAN SOLUTIONS, LLC,
SUCCESSOR IN INTEREST TO BANK OF
AMERICA, N.A., ET AL.

THE COURT OF APPEALS OPINION IS
ORDERED PUBLISHED. VANMETER, C.J.,
WOULD GRANT DISCRETIONARY REVIEW.

FRED ROGERS V. [2023-SC-0198-D](#) ESTILL
COMMONWEALTH OF KENTUCKY

TAYLOR GIPSON V. [2023-SC-0211-D](#) CALLOWAY
LORAIN ELIZABETH COOK, AS CO-
EXECUTRIX OF THE ESTATE OF CHARLES
EUGENE COOK, M.D., DECEASED, ET AL.

KELLER, J., WOULD GRANT
DISCRETIONARY REVIEW.

TIMOTHY NOLAN V. [2023-SC-0212-D](#) CAMPBELL
COMMONWEALTH OF KENTUCKY

ORDER DENYING DISCRETIONARY REVIEW - August 16, 2023

GRAVITY DIAGNOSTICS, LLC V. KEVIN BERLING	2023-SC-0221-D	KENTON
ROBERT E. CURRY V. COMMONWEALTH OF KENTUCKY THOMPSON, J., NOT SITTING.	2023-SC-0229-D	HARLAN
CARMEN GARDNER, ET AL. V. GEICO GENERAL INSURANCE COMPANY VANMETER, C.J., NOT SITTING.	2023-SC-0264-DE	JEFFERSON
ANTONIO ELLISON V. COMMONWEALTH OF KENTUCKY	2023-SC-0283-D	JEFFERSON

ORDER DENYING DISCRETIONARY REVIEW - August 18, 2023

MATTHEW WORKMAN V. KENTUCKY DOWNS, LLC, ET AL.	2023-SC-0042-D	SIMPSON
CHARLIE KIRBY, ET AL. V. KEENELAND ASSOCIATION, INC., ET AL.	2023-SC-0187-D	FAYETTE
ANNIE JACOBS, ET AL. V. KRM WAGERING, LLC, ET AL.	2023-SC-0267-D	FAYETTE

ORDER DENYING DISCRETIONARY REVIEW AND DEPUBLISHING - August 16, 2023

AMY BURNS V. COMMONWEALTH OF KENTUCKY BROWN, S.J. AND LESTER, S.J., SITTING. BISIG AND THOMPSON, JJ., NOT SITTING.	2022-SC-0436-D	JEFFERSON
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ORDER DENYING DISCRETIONARY REVIEW AND DEPUBLISHING - August 16, 2023

JASON WOOD V. [2023-SC-0069-D](#) SIMPSON
MICHELLE ANN CRITZ, ET AL.
THOMPSON, J., NOT SITTING.

JOHN VANCE, ET AL. V. [2023-SC-0090-D](#) BOURBON
PARIS CITY COMMISSION, ET AL.

COMMONWEALTH OF KENTUCKY [2023-SC-0099-D](#) JEFFERSON
TRANSPORTATION CABINET V.
ESTATE OF ZAVIER FROEBER, ET AL.

JOHN VANCE, ET AL. V. [2023-SC-0180-D](#) BOURBON
PARIS CITY COMMISSION, ET AL.

ALLSTATE PROPERTY AND CASUALTY [2023-SC-0184-D](#) JEFFERSON
INSURANCE COMPANY V.
BRITTANY BROWN

ORDER DENYING TRANSFER - August 24, 2023

DAVID AND JENELLE ARMSTRONG, ET AL. [2023-SC-0167-T](#) CAMPBELL
V.
THE CAMPBELL COUNTY AND MUNICIPAL
PLANNING AND ZONING COMMISSION
AND ITS MEMBERS, ET AL.

**PETITION FOR REHEARING DENIED AND ORDER MODIFYING OPINION ON
COURT'S OWN MOTION - August 24, 2023**

MARION HUGHES, ET AL. V. [2021-SC-0444-DG](#) JEFFERSON
UPS SUPPLY CHAIN SOLUTIONS, INC., ET
AL.
LAMBERT AND THOMPSON, JJ., WOULD
GRANT THE PETITION FOR REHEARING.

**ORDER DENYING REHEARING AND GRANTING MOTION TO MODIFY OPINION-
August 24, 2023**

JOHN BRUNER, ET AL. V.
DON COOPER, ET AL.

[2020-SC-0426-DG](#)

PULASKI

ALL SITTING. ALL CONCUR.

BYRON SEYMOUR V. COMMONWEALTH
OF KENTUCKY

[2021-SC-0339-MR](#)

JEFFERSON

ALL SITTING. ALL CONCUR.

ORDER DISMISSING – July 5, 2023

JAMES HIGHTOWER V.
DONNA REED

[2023-SC-0210-D](#)

FRANKLIN

**ORDER DENYING MOTION FOR
ENLARGEMENT OF TIME**

BISIG, CONLEY, KELLER, AND LAMBERT,
JJ., SITTING. ALL CONCUR.

TRENDON GORMAN V.
ANNA VALENTINE, WARDEN

[2022-SC-0481-DE](#)

BOYLE

ORDER STATISTICALLY DISMISSING

BISIG, CONLEY, KELLER, AND LAMBERT,
JJ., SITTING.

MJ GREAT CLIPS V.
ANGELA JOHNSON

[2022-SC-0481-DE](#)

COURT OF
APPEALS

**ORDER GRANTING MOTION TO
WITHDRAW APPEAL AND REMANDING**

BISIG, CONLEY, KELLER, AND LAMBERT,
JJ., SITTING. ALL CONCUR.

ORDER DISMISSING - August 02, 2023

GEORGE ANTHONY SLAUGHTER, AS
FATHER AND NEXT FRIEND OF HIS MINOR
CHILD GEORGE ALBERT SLAUGHTER ET.
AL. V.

[2023-SC-0066-D](#)

FAYETTE

KEITH A. SLAUGHTER, AS AN INDIVIDUAL
AND AS SUCCESSOR TRUSTEE OF THE
REVOCABLE TRUST AGREEMENT OF
GEORGE A. SLAUGHTER

**ORDER DISMISSING ON MOVANT'S
REPORT**

CONLEY, KELLER, LAMBERT, NICKELL,
JJ., SITTING. ALL CONCUR.

TOMMY OWENS USED CARS, LLC V.
RHONDA M. WILSON, ET AL.

[2023-SC-0097-D](#)

BOYLE

**ORDER GRANTING JOINT MOTION TO
DISMISS**

CONLEY, KELLER, LAMBERT, NICKELL,
JJ., SITTING. ALL CONCUR.

ORDER WITHDRAWING FROM THE KENTUCKY BAR ASSOCIATION- August 11, 2023

RELMA MARTIN MILLER V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0345-KB](#)

IN SUPREME
COURT

CATHERINE CUNDIFF SEWELL V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0346-KB](#)

IN SUPREME
COURT

ORDER WITHDRAWING FROM KENTUCKY BAR ASSOCIATION - August 15, 2023

BRUCE ALAN HUNTER V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0366-KB](#)

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COURT

CHRISTOPHER GIBSON BRADLEY V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0367-KB](#)

IN SUPREME
COURT

RAY SHANE IBARRA V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0368-KB](#)

IN SUPREME
COURT

WILLIAM NEIL WARD V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0369-KB](#)

IN SUPREME
COURT

ANDREA MICHELLE KENDALL V.
KENTUCKY BAR ASSOCIATION

[2023-SC-0370-KB](#)

IN SUPREME
COURT