

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

133. LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION V. HANDS-ON ORIGINALS  
**OPINION OF THE COURT BY JUSTICE VANMETER – AFFIRMING**  
MINTON, C.J., BUCKINGHAM, HUGHES, KELLER, VANMETER AND WRIGHT, JJ., SITTING. MINTON, C.J., HUGHES, KELLER, VANMETER AND WRIGHT, JJ., CONCUR. BUCKINGHAM, J., CONCURS BY A SEPARATE OPINION. LAMBERT, J., NOT SITTING.
- [2017-SC-000278-DG](#) FAYETTE  
**TO BE PUBLISHED**
- Questions Presented:**  
Administrative Law. Human Rights Commission. Fairness ordinance. “Statutory Standing” to bring action for alleged violation of a local fairness ordinance.
134. ASIEL IRAOLA-LOVACO V. COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY JUSTICE VANMETER – AFFIRMING**  
ALL SITTING. ALL CONCUR.
- [2018-SC-000257-MR](#) FAYETTE  
**TO BE PUBLISHED**
- Questions Presented:**  
Assault in the Second Degree (3 counts), DUI First Offense and Leaving the Scene of an Accident-20 years. No palpable error resulted from the arresting officer's testimony referring to the field sobriety investigative procedures he administered as "test" and stating that defendant "failed" them. Trial court properly denied motion for jury instruction on the lesser-included offense Assault in the Fourth Degree.
135. COMMUNITY FINANCIAL SERVICES BANK, ETC. V. RONNY L. STAMPER  
**AND**  
RONNY L. STAMPER V. COMMUNITY FINANCIAL SERVICES BANK, ETC.  
**OPINION OF THE COURT BY JUSTICE KELLER – AFFIRMING**  
ALL SITTING. ALL CONCUR.
- [2018-SC-000320-DG](#) MARSHALL  
**TO BE PUBLISHED**
- [2019-SC-000100-DG](#) MARSHALL  
**TO BE PUBLISHED**
- Questions Presented:**  
Contract Law. Statute of Limitations. UCC Article 3. Six-year statute of limitations for negotiable instruments applies to bank's lawsuit to recover on a note obligating a customer to repay a loan. KRS 355.3-104. KRS 355.3-118.

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

136. HUBERT MCGUIRE V. [2017-SC-000404-MR](#) HENDERSON  
COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON –  
AFFIRMING, IN PART AND  
REVERSING, IN PART**  
TO BE PUBLISHED

ALL SITTING. MINTON, C.J.,  
BUCKINGHAM, HUGHES AND  
KELLER, JJ., CONCUR. WRIGHT, J.,  
CONCURS IN PART AND DISSENTS  
IN PART BY SEPARATE OPINION, IN  
WHICH LAMBERT, AND VANMETER,  
JJ., JOIN.

**Questions Presented:**

First-degree trafficking in a controlled substance, Second-Degree Fleeing and Evading the police, Tampering with Physical Evidence, Resisting Arrest and PFO 1- 20 years. Trial court did not err in admitting police officer's testimony that, based upon his experience, the evidence was consistent with trafficking and not with personal use. Evidence was sufficient for the jury to reasonably infer that the defendant possessed methamphetamine with intent to distribute it. Trial court erred in denying the motion for a directed verdict on the charge of tampering with physical evidence.

137. COMMONWEALTH OF KENTUCKY V. [2017-SC-000576-DG](#) HENDERSON  
MICHAEL JOSEPH JAMES  
**AND** [2018-SC-000066-DG](#)  
MICHAEL JOSEPH JAMES V. **TO BE PUBLISHED**  
COMMONWEALTH OF KENTUCKY

**OPINION OF THE COURT BY  
CHIEF JUSTICE MINTON –  
AFFIRMING, IN PART, REVERSING,  
IN PART, AND REMANDING**  
ALL SITTING. MINTON, C.J.,  
BUCKINGHAM, HUGHES AND  
KELLER, JJ., CONCUR. WRIGHT, J.,  
CONCURS IN PART AND DISSENTS  
IN PART BY SEPARATE OPINION, IN  
WHICH LAMBERT, AND VANMETER,  
JJ., JOIN.

**Questions Presented:**

Criminal Law. Constructive Possession. Directed Verdict. Tampering with Evidence. Facts here are sufficient for a reasonable jury to conclude that actual possession occurred of a dropped pipe containing methamphetamine residue. However, the simple act of dropping evidence in plain view of the police was not sufficient to satisfy the elements of the crime of tampering with evidence under KRS 524.100.

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

138. UNIVERSITY OF KENTUCKY, ETC., [2018-SC-000193-TG](#) FAYETTE  
ET AL. V. **TO BE PUBLISHED**  
SARAH R. MOORE, ET AL.  
**AND**

COMMONWEALTH OF KENTUCKY, [2018-SC-000194-TG](#) FAYETTE  
DEPARTMENT OF REVENUE, **TO BE PUBLISHED**  
ET AL. V.  
SARAH R. MOORE  
**OPINION OF THE COURT BY**  
**JUSTICE HUGHES –**  
**AFFIRMING IN PART, REVERSING IN**  
**PART, AND REMANDING**  
ALL SITTING. ALL CONCUR.

**Questions Presented:**  
Collection of accounts owed to the University of Kentucky hospital. Referral to the Department of Revenue for collection. KRS 45.237 et seq. and KRS 45.241. The University is in the Executive branch of state government, but sovereign immunity does not bar this declaratory judgment action against it.

139. KEANTAY HUNTER V. [2018-SC-000166-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
**OPINION OF THE COURT BY**  
**JUSTICE KELLER –**  
**AFFIRMING IN PART, VACATING IN**  
**PART, AND REMANDING**  
ALL SITTING. ALL CONCUR.

**Questions Presented:**  
Murder, First-Degree Assault, Tampering with Physical Evidence, Second-Degree Fleeing and Evading Police and Possession of a Handgun by a Minor- 25 years. KRS 635.020(4), juvenile transfer statute, is constitutional. Gun found along defendant's flight path was admissible as it was not the product of any illegal police conduct. Items found in the search of defendant's pocket following his apprehension were fruits of a lawful search incident to an arrest. Jury's verdicts on attempted murder and first-degree assault were not inconsistent. Conviction of fleeing or evading the police vacated.

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

140. BENJAMIN DWAYNE WARD V. COMMONWEALTH OF KENTUCKY  
**OPINION OF THE COURT BY CHIEF JUSTICE MINTON – REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR.
- [2018-SC-000056-MR](#) BOONE  
**TO BE PUBLISHED**
- Questions Presented:**  
First-Degree Sexual Abuse, Third-Degree Rape, Third-Degree Sodomy, Possession of Matter Portraying a Sexual Performance by a Minor and Use of a Minor in a Sexual Performance- 70 years. Trial court committed reversible error by not striking one of the jurors for cause. Commonwealth's possession of recorded phone calls from the jail, which inadvertently included privileged attorney-client communication, is discussed.
141. COMMONWEALTH OF KENTUCKY V. SHERRY GILMORE  
**OPINION OF THE COURT BY JUSTICE VANMETER – REVERSING AND REMANDING**  
ALL SITTING. ALL CONCUR.
- [2018-SC-000588-DG](#) PULASKI  
**TO BE PUBLISHED**
- Questions Presented:**  
KRS 439.3106. Probation Revocation. Findings. Trial court complied with KRS 439.3106 and *Commonwealth v. Andrews* in making sufficient oral and written findings supporting its decision to revoke defendant's probation.
142. BRANDON L. OLDHAM V. COMMONWEALTH OF KENTUCKY  
**AND**  
JUAN T. LLOYD V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
ALL SITTING. ALL CONCUR.
- [2018-SC-000073-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
- [2018-SC-000074-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
143. LAMONT JOHNSON V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
ALL SITTING. ALL CONCUR
- [2018-SC-000133-MR](#) KENTON  
**NOT TO BE PUBLISHED**

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

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| 144. | SHANE VANWILLIAMS V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.                                                                                                                          | <a href="#">2018-SC-000189-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON                |
| 145. | JASON A. WATTS V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.                                                                                                                             | <a href="#">2018-SC-000409-MR</a><br><b>NOT TO BE PUBLISHED</b> | LYON                     |
| 146. | GREYHOUND LINES, INC. V.<br>KERRY SLIDER, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.                                                                                                                          | <a href="#">2018-SC-000593-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 147. | LEXINGTON FAYETTE URBAN<br>COUNTY GOVERNMENT V.<br>JOHN BAKER, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>MINTON, C.J.; BUCKINGHAM, HUGHES,<br>KELLER, VANMETER, AND WRIGHT,<br>JJ., SITTING. ALL CONCUR. LAMBERT,<br>J., NOT SITTING. | <a href="#">2019-SC-000032-WC</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 148. | JERRY W. WELLS V.<br>HON. CATHERINE HOLDERFIELD,<br>JUDGE, WARREN FAMILY COURT,<br>DIV. IV, ET AL.<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>ALL SITTING. ALL CONCUR.                                                                        | <a href="#">2019-SC-000093-MR</a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |

**SUPREME COURT OF KENTUCKY**

**OCTOBER 31, 2019 MINUTES**

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

**OPINION AND ORDERS – OCTOBER 31, 2019**

KENTUCKY BAR ASSOCIATION V.  
CASSIDY ANN TEATER  
**ORDER OF SUSPENSION FROM THE  
PRACTICE OF LAW FOR 30 DAYS TO RUN  
CONSECUTIVELY WITH HER CURRENT  
SUSPENSION.**  
ALL SITTING. ALL CONCUR.

[2019-SC-000412-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

MARK KINDRED WICKERSHAM V.  
KENTUCKY BAR ASSOCIATION  
**ORDER OF SUSPENSION FROM THE  
PRACTICE OF LAW FOR 3 YEARS WITH  
CONDITIONS.**  
ALL SITTING. ALL CONCUR.

[2019-SC-000540-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

WILLIAM JOSHUA BROWN V.  
KENTUCKY BAR ASSOCIATION  
**ORDER TO GRANT RESTORATION.**  
ALL SITTING. ALL CONCUR.

[2019-SC-000593-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

COMMONWEALTH OF KENTUCKY V.  
KEITH JENNINGS

2019-SC-000248-DG

KENTON

RICKEY ALLEN RHOTON V.  
COMMONWEALTH OF KENTUCKY

2019-SC-000298-DG

BATH

L. H., A CHILD UNDER EIGHTEEN V.  
COMMONWEALTH OF KENTUCKY

2019-SC-000321-DG

HOPKINS

RAY WILLIAM POWERS V.  
COMMONWEALTH OF KENTUCKY

2019-SC-000341-DG

CALLOWAY

PLEASANT UNIONS, LLC V.  
KENTUCKY TAX COMPANY, LLC, ET AL.

2019-SC-000358-DG

TAYLOR

ASHLEY LAYMAN V.  
RICHARD LEE BOHANON, JR.

2019-SC-000364-DGE

BOYD

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

THOMAS LEE PERRY V. LEA NICOLE GOODWIN, ET AL.	2019-SC-000474-DGE	BOONE
MARK HILL V. LOUISVILE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT LAMBERT, J., NOT SITTING.	2019-SC-000523-DG	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

JOSHUA COLLINS V. CHRISTOPHER STARK, ET AL.	2018-SC-000584-D	FAYETTE
GREG MEREDITH, ET AL. V. SCOTTY'S CONTRACTING AND STONE, LLC, ET AL.	2018-SC-000635-D	BARREN
JAMES E. FORTE V. COMMONWEALTH OF KENTUCKY	2018-SC-000678-D	CHRISTIAN
ROCARVAN MARCUS FORTNEY V. COMMONWEALTH OF KENTUCKY	2018-SC-000681-D	JEFFERSON
IAN MILLER V. COMMONWEALTH OF KENTUCKY	2019-SC-000004-D	WAYNE
SYDNEY BURGER, AS THE COURT APPOINTED ADMINISTRATRIX OF THE ESTATE OF CLINTON DRISCOLL, ET AL. V. DR. RAYMOND WRIGHT <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED. BUCKINGHAM, VANMETER AND WRIGHT JJ., WOULD GRANT.</b>	2019-SC-000014-D	FAYETTE
THOMAS FOWLES V. LINDA MARIE FOWLES	2019-SC-000044-D	KENTON

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

KELLER, J., WOULD GRANT.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

PATRICK BAKER V. COMMONWEALTH OF KENTUCKY	2019-SC-000059-D	KNOX
BAUMANN PAPER CO., INC. V. RUTH WILLOUGHBY	2019-SC-000062-D	FAYETTE
CHRISTIAN OMAR WALKER V. COMMONWEALTH OF KENTUCKY	2019-SC-000108-D	JEFFERSON
F & C MATERIAL HANDLING, INC., ETC. V. WILLIAM MCMAHON <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.</b>	2019-SC-000249-D	SIMPSON
COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES V. ESTATE OF LENNIE COOPER	2019-SC-000258-D	PULASKI
KIRBY CONTRACTING, LLC, ET AL. V. DOUGLAS ADKINS	2019-SC-000284-D	JEFFERSON
CHRISTOPHER PEYTON V. RAVONNE SIMS WARDEN, ET AL.	2019-SC-000290-D	FRANKLIN
NATHANIEL WAYNE BRICE V. COMMONWEALTH OF KENTUCKY	2019-SC-000297-D	FAYETTE
BRUCE DEWAYNE HALEY V. COMMONWEALTH OF KENTUCKY <b>LAMBERT, J., NOT SITTING.</b>	2019-SC-000299-D	BELL
DONALD R. PHILLIPS V. COMMONWEALTH OF KENTUCKY	2019-SC-000301-D	LESLIE
STEVE O'DANIEL V. MIKE SAPP, MAJOR, ET AL.	2019-SC-000303-D	FRANKLIN



SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

PAUL WILLIAM LEWIS V. COMMONWEALTH OF KENTUCKY	2019-SC-000304-D	JEFFERSON
LORRIE J. DAVIDSON, ADMINISTRATRIX OF THE ESTATE OF TIFFANY ANNA PAIGE HOPE WILLIAMS, DECEASED V. GREGORY DARRELL PENNINGTON, ADMINISTRATOR OF THE ESTATE OF KYSON GAGE PENNINGTON, DECEASED	2019-SC-000314-D	CLAY
NICOLE L. TRAVIS V. STATE EVALUATION APPEALS PANEL, ET AL.	2019-SC-000316-D	JEFFERSON
HAROLD HARMON, ET AL. V. ENERGY AND ENVIRONMENT CABINET, ET AL. <b>THE OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED. WRIGHT, J., WOULD GRANT.</b>	2019-SC-000317-D	PIKE
BREN JONES V. JERRY BALL, ET AL.	2019-SC-000323-D	FRANKLIN
DEMETRIUS BRADLEY V. COMMONWEALTH OF KENTUCKY, JUSTICE AND PUBLIC SAFETY CABINET, ET AL.	2019-SC-000329-D	FRANKLIN
DANIELLE CAYLE DAVIS V. COMMONWEALTH OF KENTUCKY <b>BUCKINGHAM, J., WOULD GRANT.</b>	2019-SC-000337-D	CRITTENDEN
JOSEPH FERRIELL, EXECUTOR OF THE ESTATE OF WILLIAM MORROW, III V. WILLIAM MORROW, ADMINISTRATOR OF THE ESTATE OF WILLIAM MORROW AND WILLIAM MORROW, IV	2019-SC-000343-D	JEFFERSON

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 24, 2019**

GENESIA KILGORE-BOWLING, ET AL. V. BAPTIST HEALTHCARE SYSTEM, INC., ETC. <b>WRIGHT, J., WOULD GRANT.</b>	2019-SC-000352-D	FAYETTE
HEATHER SPALDING V. PNC BANK, NATIONAL ASSOCIATION	2019-SC-000353-D	JEFFERSON
ELAINE MATTHEWS V. WELLS FARGO BANK, N.A., ET AL.	2019-SC-000360-D	NELSON
JACOB J. BRANNON V. COMMONWEALTH OF KENTUCKY	2019-SC-000361-D	MCCRACKEN
COMMONWEALTH OF KENTUCKY V. ASHLEY FAIRCHILDS HALL	2019-SC-000367-D	WARREN
TONY GLASPER V. KENTUCKY PAROLE BOARD	2019-SC-000386-D	FRANKLIN
ENGLAND HILL VOLUNTEER FIRE DISTRICT, INC. V. CITY OF CATLETTSBURG, KENTUCKY	2019-SC-000415-D	BOYD
MICHAEL ALLEN SHAW V. KENTUCKY PAROLE BOARD	2019-SC-000423-D	FRANKLIN
BRUCE WAYNE VINCENT V. COMMONWEALTH OF KENTUCKY	2019-SC-000425-D	HARDIN
JOHN BARNETT V. BRITTANY WHITE	2019-SC-000428-DE	MONROE
TERRY FARMER V. KENTUCKY EXECUTIVE BRANCH ETHICS COMMISSION <b>LAMBERT, J., NOT SITTING.</b>	2019-SC-000491-D	FRANKLIN

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
OCTOBER 30, 2019**

RIVER CITY FRATERNAL ORDER OF POLICE 2019-SC-000330-D JEFFERSON  
LODGE 614, INC. V.  
LOUISVILLE/JEFFERSON COUNTY  
METROPOLITAN GOVERNMENT, ET AL.  
**WRIGHT, J., WOULD GRANT.**  
**LAMBERT, J., NOT SITTING.**

**COURT ORDER GRANTING MOTION TO TRANSFER – OCTOBER 31, 2019**

MARK SMITH, ET AL. V. 2019-SC-000503-TG FAYETTE  
WYNETTA FLETCHER, APRN, ET AL.  
**MINTON, C.J., BUCKINGHAM, HUGHES,  
KELLER, LAMBERT AND WRIGHT, JJ.,  
SITTING. ALL CONCUR. VANMETER, J.,  
NOT SITTING.**

**COURT ORDER GRANTING PETITION FOR REHEARING – OCTOBER 31, 2019**

FRED FURNISH V. 2018-SC-000126-MR KENTON  
COMMONWEALTH OF KENTUCKY  
**ORDER MODIFYING THE OPINION OF  
THE COURT RENDERED JUNE 13, 2019, BY  
SUBSTITUTION OF THIS OPINION IN LIEU OF  
THE ORIGINAL OPINION.**  
NOT TO BE PUBLISHED  
ALL SITTING. ALL CONCUR

**COURT ORDERS DENYING PETITION FOR REHEARING – OCTOBER 31, 2019**

WILLIAM TERRY JAMISON V. 2017-SC-000622-MR FULTON  
COMMONWEALTH OF KENTUCKY  
**ALL SITTING. ALL CONCUR.**

WILLIAM M. LANDRUM III., IN HIS 2018-SC-000122-TG FRANKLIN  
OFFICIAL CAPACITY AS SECRETARY  
OF THE FINANCE AND  
ADMINISTRATION CABINET V.  
COMMONWEALTH OF KENTUCKY EX.  
REL. ANDY BESHEAR, ETC., ET AL.  
**ALL SITTING. ALL CONCUR.**

SUPREME COURT OF KENTUCKY

OCTOBER 31, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING PETITION FOR REHEARING – OCTOBER 31, 2019**

NORVIN SPROWS V. 2018-SC-000374-MR JEFFERSON  
COMMONWEALTH OF KENTUCKY  
**ALL SITTING. ALL CONCUR.**

WHITNEY WESTERFIELD, IN HIS 2018-SC-000583-TG FRANKLIN  
OFFICIAL CAPACITY AS SENATOR, 2018-SC-000585-TG  
ET AL. V.  
DAVID M. WARD, ET AL.  
**AND**  
DAVID M. WARD, ET AL. V.  
WHITNEY WESTERFIELD, IN HIS  
OFFICIAL CAPACITY AS SENATOR,  
ET AL.  
**ALL SITTING. ALL CONCUR.**

**COURT ORDERS DISMISSING**

HARTFORD FIRE INSURANCE COMPANY V. 2019-SC-000345-D LARUE  
HAROLD RAY DESPAIN  
**LAMBERT, VANMETER, WRIGHT AND**  
**BUCKINGHAM, JJ., SITTING. ALL CONCUR.**  
ENTERED: OCTOBER 23, 2019

INFINITY ENERGY, INC. V. 2019-SC-000346-D LESLIE  
BILLY HENSON  
**LAMBERT, VANMETER, WRIGHT AND**  
**BUCKINGHAM, JJ., SITTING. ALL CONCUR.**  
ENTERED: OCTOBER 23, 2019

DENISE ZOELLER V. 2019-SC-000397-WC FROM COURT  
AMAZON, ET AL. OF APPEALS  
**LAMBERT, VANMETER, WRIGHT AND**  
**BUCKINGHAM, JJ., SITTING. ALL CONCUR.**  
ENTERED: OCTOBER 23, 2019

**SUPREME COURT OF KENTUCKY**

**OCTOBER 31, 2019 MINUTES**

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

**COURT ORDER**

TRYON TRUCKING, INC. V.  
RANDY MEDLIN, ET AL.

2019-SC-000212-WC

FROM COURT  
OF APPEALS

**ORDER CORRECTED THE OPINION OF  
THE COURT RENDERED SEPTEMBER 26,  
2019, BY SUBSTITUTION OF THIS OPINION  
IN LIEU OF THE ORIGINAL OPINION.**

ENTERED: OCTOBER 1, 2019

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

NDONGMO FORTEH TAKOUGANG V.  
KENTUCKY BAR ASSOCIATION  
**ENTERED: SEPTEMBER 25, 2019**

2019-SC-000578-KB

IN SUPREME  
COURT