

Supreme Court of Kentucky

NOVEMBER 12, 2020 RULINGS

RELEASED: 10:00 A.M.

129. UPPER POND CREEK VOLUNTEER FIRE DEPARTMENT, INC. V. RONNIE KINSER, ET AL. [2019-SC-0563-DG](#) TO BE PUBLISHED PIKE

OPINION OF THE COURT BY JUSTICE KELLER - AFFIRMING

MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER, AND WRIGHT, JJ., SITTING. MINTON, C.J., HUGHES, KELLER, LAMBERT, AND VANMETER, JJ., CONCUR. WRIGHT, J., DISSENTS BY SEPARATE OPINION. NICKELL, J., NOT SITTING.

Questions Presented:

Qualified Immunity. Negligence of Volunteer Fire Department. Interlocutory Appeals. Affirming the Court of Appeals' dismissal of appeal as interlocutory, where trial court's order directed limited discovery, permitting factual development to aid in determining whether governmental immunity applied to claims of intentional or negligent training, supervision, hiring and retention.

130. HON. ANDREW BESHEAR, IN HIS OFFICIAL CAPACITY AS GOVERNOR, ET AL. V. HON. GLENN E. ACREE, JUDGE KENTUCKY COURT OF APPEALS, ET AL. [2020-SC-0313-OA](#) TO BE PUBLISHED BOONE

OPINION OF THE COURT BY JUSTICE HUGHES - REVERSING

ALL SITTING. ALL CONCUR.

Questions Presented:

Injunctive Relief. Emergency Powers. Issues include whether the Governor properly declared a state of emergency and validly invoked emergency powers granted to him in KRS Chapter 39A; whether provisions of KRS Chapter 39A are an unconstitutional delegation of legislative authority; whether the Governor was required to address the COVID-19 emergency solely through regulations pursuant to KRS Chapter 13A; and whether the challenged orders violate sections 1 and 2 of the Kentucky Constitution.

ORDER GRANTING TRANSFER - November 05, 2020

DAVID M. WARD, ET AL. V. [2020-SC-0520-I](#) FRANKLIN
SECRETARY OF STATE, EX REL. MICHAEL G.
ADAMS IN HIS OFFICIAL CAPACITY, ET AL.

ORDER DISMISSING - November 12, 2020

COMMONWEALTH OF KENTUCKY, EX REL. [2019-SC-0533-DG](#) FAYETTE
DANIEL CAMERON IN HIS OFFICIAL CAPACITY
AS ATTORNEY GENERAL OF KENTUCKY V.
AMERICAN NATIONAL UNIVERSITY OF
KENTUCKY, INC.

AND

AMERICAN NATIONAL UNIVERSITY OF [2020-SC-0145-DG](#) FAYETTE
KENTUCKY, INC. V. COMMONWEALTH OF
KENTUCKY, EX REL. DANIEL CAMERON, IN HIS
OFFICIAL CAPACITY AS ATTORNEY GENERAL
OF KENTUCKY

**ORDER GRANTING JOINT MOTION TO
DISMISS**

LAMBERT, NICKELL, VANMETER, AND
WRIGHT, JJ., SITTING. ALL CONCUR.

RONALD HAMILTON ET AL. V. [2020-SC-0491-D](#) FAYETTE
NICOLE T. MCGUFFEY

**ORDER GRANTING MOTION TO WITHDRAW
MOTION FOR DISCRETIONARY REVIEW AND
DISMISSING**

LAMBERT, NICKELL, VANMETER, AND
WRIGHT, JJ., SITTING. ALL CONCUR.

ORDER DENYING - November 12, 2020

ROBERT ANDERSON V. COMMONWEALTH OF [2020-SC-0258-D](#) CAMPBELL
KENTUCKY

**ORDER DENYING MOTION TO RECONSIDER
JULY 30, 2020 ORDER DISMISSING**

LAMBERT, NICKELL, VANMETER, AND
WRIGHT, JJ., SITTING. ALL CONCUR.

ORDER DENYING - November 12, 2020

D. T. V.
COMMONWEALTH OF KENTUCKY

[2020-SC-0452-D](#)

MADISON

**ORDER DENYING MOTION FOR
ENLARGEMENT OF TIME TO FILE MOTION
FOR DISCRETIONARY REVIEW**

LAMBERT, NICKELL, VANMETER, AND
WRIGHT, JJ., SITTING. ALL CONCUR.

CLINTON BREWER V.
COMMONWEALTH OF KENTUCKY

[2020-SC-0472-D](#)

MCCRACKEN

**ORDER DENYING MOTION FOR
ENLARGEMENT OF TIME TO FILE MOTION
FOR DISCRETIONARY REVIEW**

LAMBERT, NICKELL, VANMETER, AND
WRIGHT, JJ., SITTING. ALL CONCUR.

ORDER DENYING AND MODIFYING - November 12, 2020

TERRENCE DOWNS V.
COMMONWEALTH OF KENTUCKY

[2018-SC-0402-MR](#)

JEFFERSON

ORDER DENYING AND MODIFYING

ALL SITTING. ALL CONCUR.

ORDER WITHDRAWING FROM KENTUCKY BAR ASSOCIATION - November 10, 2020

JOHN HENRY KEATHLEY, III V.
KENTUCKY BAR ASSOCIATION

[2020-SC-0523-KB](#)

IN SUPREME
COURT