

KENTUCKY COURT OF APPEALS

AUGUST 04, 2023 MINUTES

RELEASED: 10:00 A.M.

516. JOHN BRANDON LAMOTTE v.  
COMMONWEALTH OF KENTUCKY  
**OPINION REVERSING BY JUDGE ACREE**  
THOMPSON, C.J. (CONCURS) AND  
MCNEILL, J. (DISSENTS AND FILES  
SEPARATE OPINION)
- [2019-CA-0559-MR](#)  
[2020-CA-1486-MR](#)  
**TO BE PUBLISHED**
- FRANKLIN
517. MARC HARDIN v.  
THE JEFFERSON COUNTY BOARD OF  
EDUCATION D/B/A JEFFERSON COUNTY  
PUBLIC SCHOOLS, ET AL.  
**OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND REMANDING  
BY JUDGE LAMBERT**  
CALDWELL, J. (CONCURS) AND  
COMBS, J. (CONCURS)
- [2020-CA-1316-MR](#)  
**TO BE PUBLISHED**
- JEFFERSON
518. TERRY GABBARD, ET AL. v.  
ESTATE OF JESSIE M. WILLIAMS,  
DECEASED, ET AL.  
**OPINION AFFIRMING BY JUDGE ACREE**  
CETRULO, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
- [2021-CA-0034-MR](#)  
**NOT TO BE PUBLISHED**
- LAUREL
519. RHONDA BEINLEIN v.  
KIDZ UNIVERSITY, INC.  
**AND**  
DAVID LEN PITTS, ET AL. v.  
RHONDA BEINLEIN, AS PARENT AND  
STATUTORY GUARDIAN ON BEHLAF OF  
H.B. AND N.B., MINORS  
**OPINION AFFIRMING BY JUDGE MCNEILL**  
CALDWELL, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
- [2021-CA-1191-MR](#)  
[2021-CA-1248-MR](#)  
**NOT TO BE PUBLISHED**
- JEFFERSON

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

520. CYPRESS FLATS LAND COMPANY, LLC., [2022-CA-0095-MR](#) UNION  
ET AL. v. [2022-CA-0145-MR](#)  
RIVER VIEW COAL, LLC **TO BE PUBLISHED**
- OPINION AND ORDER AFFIRMING IN  
2022-CA-0095-MR AND DISMISSING IN  
2022-CA-0145-MR BY JUDGE ECKERLE**
- CALDWELL, J. (CONCURS) AND  
DIXON, J. (CONCURS)
521. RAY HACKER, JR. v. [2022-CA-0421-MR](#) JACKSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE DIXON**
- CALDWELL, J. (CONCURS) AND  
ECKERLE, J. (CONCURS)
522. KIRBY W. HOLLADAY, JR., ET AL. v. [2022-CA-0537-MR](#) JEFFERSON  
FRANK L. ALEXANDER, II, ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING  
BY JUDGE MCNEILL**
- CALDWELL, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
523. RONALD WILLIAMS v. [2022-CA-0612-MR](#) GRAYSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION VACATING AND REMANDING BY  
JUDGE GOODWINE**
- THOMPSON, C.J. (CONCURS) AND  
TAYLOR, J. (CONCURS IN RESULT ONLY)

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524. VARANESE FUSION, LLC v. ERIE INSURANCE EXCHANGE, MEMBER ERIE INSURANCE GROUP [2022-CA-0822-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE DIXON**
- CALDWELL, J. (CONCURS) AND  
ECKERLE, J. (CONCURS)
525. TYLER POPPLEWELL, ET AL. v. CONNIE CORNER, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF THOMAS DUNBAR, A/K/A "SAM" DUNBAR [2022-CA-0844-MR](#) RUSSELL  
**TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING BY JUDGE KAREM**
- GOODWINE, J. (CONCURS) AND  
DIXON, J. (CONCURS IN RESULT ONLY)
526. JEFFREY ALLEN KAY v. COMMONWEALTH OF KENTUCKY [2022-CA-0870-MR](#) LYON  
**AND** [2022-CA-0871-MR](#)  
**TO BE PUBLISHED**
- HEATHER ASHLEY KOST v. COMMONWEALTH OF KENTUCKY
- OPINION AFFIRMING BY JUDGE KAREM**
- CALDWELL, J. (CONCURS) AND  
COMBS, J. (CONCURS)
527. DAVID PARTIDA v. INSTANT AUTO CREDIT, INC. [2022-CA-0880-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**
- OPINION REVERSING BY JUDGE ACREE**
- KAREM, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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528. ARNOLD ALEXANDER v. KENTUCKY PAROLE BOARD [2022-CA-0928-MR](#) FRANKLIN  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE MCNEILL**  
CALDWELL, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
529. RACHEL HURT v. COMMONWEALTH OF KENTUCKY [2022-CA-0986-MR](#) HARDIN  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**  
GOODWINE, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
530. PAUL PSIONES v. CHRISTINA BELL, ET AL. [2022-CA-1229-MR](#) JEFFERSON  
**NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE GOODWINE**  
THOMPSON, C.J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
531. JAMIE ALAN DAY v. ANGELA FIORITA DAY [2022-CA-1250-MR](#) MCCracken  
**TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CETRULO**  
ECKERLE, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
532. W.R.G v. K.C. [2022-CA-1319-ME](#) CALDWELL  
**TO BE PUBLISHED**  
**OPINION VACATING AND REMANDING BY JUDGE GOODWINE**  
DIXON, J. (CONCURS) AND  
KAREM, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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533. D.L.B. v. [2022-CA-1350-ME](#) MADISON  
F.C., COMMONWEALTH OF KENTUCKY, [2022-CA-1351-ME](#)  
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**  
SERVICES, ET AL.

**OPINION AFFIRMING BY JUDGE  
ECKERLE**

CETRULO, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)

534. DAVID PARTIDA v. [2022-CA-1452-MR](#) JEFFERSON  
INSTANT AUTO CREDIT, INC. **NOT TO BE PUBLISHED**

**OPINION AFFIRMING BY CHIEF JUDGE  
THOMPSON**

EASTON, J. (CONCURS) AND  
KAREM, J. (CONCURS)

**ORDERS DISMISSING**

DUANE JAMES HIEBER v. [2023-CA-0729-ME](#) CALDWELL  
COMMONWEALTH OF KENTUCKY  
**Entered: JULY 28, 2023**

**ORDERS DENYING PETITIONS FOR REHEARING**

B.D.P. v. [2022-CA-1123-DG](#) HENDERSON  
J.P., ET AL.  
**Entered: JULY 27, 2023**