

**COURT OF APPEALS OF KENTUCKY**

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720	BATES (JAMES L.) SR. VS. CURTIS (DANNY), ET AL. OPINION REVERSING AND REMANDING WITH DIRECTIONS TAYLOR (PRESIDING JUDGE) ACREE (CONCURS) AND COMBS (CONCURS IN RESULT ONLY)	<a href="#">2010-CA-000285-MR</a> TO BE PUBLISHED	FRANKLIN
721	HEATH (SHY LAMONT) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MOORE (PRESIDING JUDGE) STUMBO (CONCURS) AND VANMETER (CONCURS)	<a href="#">2010-CA-000993-MR</a> NOT TO BE PUBLISHED	JEFFERSON
722	OSBORNE (DAVID), ET AL. VS. AULL (GREGORY) OPINION AFFIRMING CAPERTON (PRESIDING JUDGE) CLAYTON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2010-CA-001073-MR</a> NOT TO BE PUBLISHED	DAVIESS
723	WALKER (LISA), ET AL. VS. C. LANCE LOVE, M.D., PLLC, ET AL. OPINION REVERSING AND REMANDING STUMBO (PRESIDING JUDGE) MOORE (DISSENTS AND FILES SEPARATE OPINION) AND LAMBERT (CONCURS)	<a href="#">2010-CA-002150-MR</a> TO BE PUBLISHED	CHRISTIAN
724	LIGHT (MARSHA) VS. GOODMAN (FRANKIE ALLEN) OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) DIXON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2010-CA-002190-ME</a> NOT TO BE PUBLISHED	PULASKI
725	PALAZZO (RHONDA) VS. FIFTH THIRD BANK, ET AL. OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-000034-MR</a> NOT TO BE PUBLISHED	JEFFERSON

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726	ELDERS (QUENTON L.) JR. VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND CLAYTON (CONCURS)	<a href="#">2011-CA-000299-MR</a> TO BE PUBLISHED	JEFFERSON
727	RUMPEL (KAVEN) VS. RUMPEL (NOW WOLFORD) (KATHIE W.) AND SKAGGS (DIANA L.) OPINION AFFIRMING COMBS (PRESIDING JUDGE) STUMBO (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-000368-MR</a> NOT TO BE PUBLISHED	BULLITT
728	SEXTON (HARGUS) VS. SAMBRANO (VICTOR) OPINION AFFIRMING KELLER (PRESIDING JUDGE) TAYLOR (CONCURS) AND THOMPSON (CONCURS)	<a href="#">2011-CA-000422-MR</a> NOT TO BE PUBLISHED	WOODFORD
729	CRABTREE (SAMUEL A.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) DIXON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-000452-MR</a> TO BE PUBLISHED	MADISON
730	GARLAND (SHANNON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DIXON (PRESIDING JUDGE) ACREE (CONCURS) AND CLAYTON (CONCURS)	<a href="#">2011-CA-000478-MR</a> NOT TO BE PUBLISHED	LETCHER
731	CHARLES T. CREECH INCORPORATED VS. BROWN (DONALD E.), ET AL. OPINION REVERSING AND REMANDING ACREE (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-000629-MR</a> TO BE PUBLISHED	FAYETTE

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732	BAGBY (SHAUNTE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) DIXON (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-000776-MR</a> TO BE PUBLISHED	FAYETTE
733	H. (M.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) CLAYTON (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2011-CA-001081-ME</a> NOT TO BE PUBLISHED	JEFFERSON
734	R. (D. C.) VS. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) STUMBO (CONCURS) AND TAYLOR (CONCURS)	<a href="#">2011-CA-001082-ME</a> NOT TO BE PUBLISHED	JEFFERSON
735	WITHROW (CONNIE R.) VS. CALGON CARBON CORPORATION OPINION AFFIRMING STUMBO (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-001106-MR</a> NOT TO BE PUBLISHED	BOYD
736	DAVIS (ROBERT) VS. BARDENWERPER, TALBOTT & ROBERTS, P.L.L.C. OPINION AFFIRMING KELLER (PRESIDING JUDGE) ACREE (CONCURS) AND CLAYTON (CONCURS)	<a href="#">2011-CA-001166-MR</a> NOT TO BE PUBLISHED	JEFFERSON
737	BLANE (DERRYL D.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) THOMPSON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-001192-MR</a> NOT TO BE PUBLISHED	CHRISTIAN

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738	LEONHARDT (CARON) VS. SIMMONS (CELESA GAIL), ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING MOORE (PRESIDING JUDGE) CAPERTON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-001208-MR</a> NOT TO BE PUBLISHED	JEFFERSON
739	SMITH (LACY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, REVERSING IN PART, VACATING IN PART, AND REMANDING STUMBO (PRESIDING JUDGE) ACREE (CONCURS) AND NICKELL (CONCURS)	<a href="#">2011-CA-001290-MR</a> NOT TO BE PUBLISHED	JESSAMINE
740	UNITED OUTDOOR MEDIA, LLC, ET AL. VS. THE BARBOURVILLE BOARD OF ADJUSTMENT, ET AL. OPINION REVERSING STUMBO (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-001367-MR</a> NOT TO BE PUBLISHED	KNOX
741	LEICK (BRENDA K.) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING STUMBO (PRESIDING JUDGE) ACREE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-001419-MR</a> NOT TO BE PUBLISHED	GRAVES
742	COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, DEPARTMENT FOR COMMUNITY BASED SERVICES VS. BELL (MARY), BELL (THOMAS E.) (AS NEXT OF FRIEND), AND DAWAHARE (RICHARD)	<a href="#">2011-CA-001482-MR</a> TO BE PUBLISHED	FRANKLIN
743	BAILEY (DAVID) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING CAPERTON (PRESIDING JUDGE) DIXON (CONCURS) AND STUMBO (CONCURS)	<a href="#">2011-CA-001498-MR</a> NOT TO BE PUBLISHED	HARRISON

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744	COMER (TERRY) VS. THOMPSON (LADONNA), ET AL. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2011-CA-001510-MR</a> NOT TO BE PUBLISHED	ELLIOTT
745	WALDENMAIER (KIRK) AND WALDENMAIER (CYNTHIA) VS. FISCHER SINGLE FAMILY HOMES, II, LLC, AND KERNS (ELAINE) OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DIXON (CONCURS) AND COMBS (DISSENTS AND FILES SEPARATE OPINION)	<a href="#">2011-CA-001594-MR</a> NOT TO BE PUBLISHED	KENTON
746	WINGS, INC. VS. RODRIGUEZ (REYNOLDS), ET AL. OPINION AFFIRMING CAPERTON (PRESIDING JUDGE) DIXON (CONCURS) AND STUMBO (CONCURS)	<a href="#">2011-CA-001719-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP
747	RICHARDSON (ROY DALE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) THOMPSON (CONCURS) AND LAMBERT (CONCURS)	<a href="#">2011-CA-002118-MR</a> NOT TO BE PUBLISHED	LAUREL
748	SAMSON (ROBERT JOSEPH) III VS. SAMSON (HEIDI MARIE) OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) LAMBERT (CONCURS) AND STUMBO (CONCURS)	<a href="#">2011-CA-002181-ME</a> TO BE PUBLISHED	FAYETTE
749	HUNT (MICHAEL) VS. MUBEA, INC., ET AL. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	<a href="#">2012-CA-000055-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP

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750	BARRON (ELEAZAR) VS. NESTLE USA, INC., ET AL. OPINION AFFIRMING CAPERTON (PRESIDING JUDGE) DIXON (CONCURS) AND STUMBO (CONCURS)	<a href="#">2012-CA-000796-WC</a> NOT TO BE PUBLISHED	WORKERS' COMP
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ORDERS DISMISSING

CLAUDE C. BARKER, JR. VS. MARY IRENE BARKER ENTERED 08/13/2012	2010-CA-000902-MR	JEFFERSON
BARBARA HAMMON, ET AL VS. DEBORAH FOLEY, ET AL ENTERED 08/13/2012	2011-CA-001017-MR 2011-CA-001100-MR	JEFFERSON
NEW VISION ENERGY, LLC VS. THE ELK COAL COMPANY, LLC, ET AL ENTERED 8/14/2012	2011-CA-001029-MR	FAYETTE
CHRISTOPHER ALLEN AKERS VS. TIM LASLEY, ET AL ENTERED 08/14/2012	2011-CA-001302-MR	KNOX
CORINE BAKER, ET AL VS. DON HANCOCK, ET AL ENTERED 08/13/2012	2011-CA-001320-MR	CALDWELL
ACUITY INSURANCE VS. PROGRESSIVE CASUALTY INSURANCE ENTERED 08/12/2012	2011-CA-001801-MR	MCCRACKEN
TRICIA H. WILSON VS. GREGORY D. WILSON ENTERED 08/13/2012	2011-CA-001881-MR	OLDHAM

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ORDERS DISMISSING CONTINUED

EMLYN COAL PROCESSING VS. DALE GREERE, ET AL ENTERED 08/14/2012	2011-CA-001885-MR	LAUREL
JOHN DAVID LEE VS. JILL LEANNE LEE (NOW STANLEY) ENTERED 08/13/2012	2011-CA-002058-MR 2012-CA-000045-MR	JEFFERSON
BRIDGETTE MARIE HOWARD VS. DENNIS RAY HOWARD ENTERED 08/13/2012	2011-CA-002221-MR	HENDERSON
JEREMY RICHMOND VS. TOYOTA MOTOR MANUFACTURING, KENTUCKY, INC. ENTERED 08/13/2012	2011-CA-002326-MR	SCOTT
JUSTICE AND PUBLIC SAFETY CABINET, DEPARTMENT OF CORRECTIONS, ET AL VS. KENTUCKY PERSONNEL BOARD, ET AL ENTERED 08/14/2012	2012-CA-000215-MR	FRANKLIN
CHARLES EDWARD BRAIM VS. KENTUCKY MOVING AND STORAGE SERVICES, ET AL ENTERED 08/15/2012	2012-CA-000256-WC	WORKERS COMP
COMMUNITY BANCSHARES SERIES 208A, LLC VS. CUMBERLAND VALLEY NATIONAL BANK AND TRUST COMPANY, ET AL ENTERED 08/14/2012	2012-CA-000344-MR	PULASKI
CROSS DOCK LOGISTICS, LLC VS. THE MURRAY BANK, ET AL ENTERED 08/15/2012	2012-CA-000447-MR	CALLOWAY
OCTAVIUS DOTSON VS. DEERBROOK INSURANCE COMPANY ENTERED 08/13/2012	2012-CA-000552-MR	JEFFERSON

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ORDERS DISMISSING CONTINUED

MONTE HAMILTON  
VS.  
MELISSA ANNE HAMILTON  
ENTERED 08/14/2012

2012-CA-000559-MR

BRACKEN

MATTHEW I. MARSHALL  
VS.  
KALYNN N. PREECE, ET AL  
ENTERED 08/14/2012

2012-CA-000690-MR

MARTIN

RONALD DEWBERRY  
VS.  
WILLIAM RUDLOFF, ET AL  
ENTERED 08/13/2012

2012-CA-000692-MR

WARREN

JAMES EDWARD ROGERS  
VS.  
JEANETTE MOORE ROGERS  
ENTERED 08/14/2012

2012-CA-000712-MR

OWSLEY

NED BERIC  
VS.  
PALCO ENTERPRISES, INC.  
ENTERED 08/14/2012

2012-CA-000816-MR

WARREN

JULIA C. SCHOOLER  
VS.  
FIA CARD SERVICES, N.A.  
ENTERED 08/13/2012

2012-CA-000935-MR

BARREN

HOWARD WILLIAM SMITH, JR. ET AL  
VS.  
ASHLAND EMERGENCY MEDIAL  
ASSOCIATES, P.S.C., A KENTUCKY  
CORPORATION, ET AL  
ENTERED 08/13/2012

2012-CA-000969-MR

BOYD

KEVIN BURTON  
VS.  
SHARRY BURTON  
ENTERED 08/13/2012

2012-CA-001061-MR

PULASKI

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ORDERS DENYING PETITION FOR REHEARING

ROXANNE SMITH AND  
SPEEDWAY SUPERAMERICA, LLC  
VS.  
TERESA GRUBB AND  
RANDY GRUBB  
ENTERED 08/13/2012

2011-CA-000223-MR

CLAY

KENTUCKY RETIREMENT SYSTEMS  
VS.  
JAMES E. GRANT  
ENTERED 08/13/2012

2011-CA-00327-MR

FRANKLIN

ELIZABETH YADON  
VS.  
TOYOTETSU AMERICA, INC.  
AND PAUL CUNAGIN  
ENTERED 08/15/2012

2011-CA-001243-MR

PULASKI

ROBIN KIMBERLY YATES (NOW KEETON)  
VS.  
STEPHEN LEE YATES  
ENTERED 08/13/2012

2011-CA-002190-MR

CARTER

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ORDER DENYING WRIT OF PROHIBITION

PIKEVILLE MEDICAL CENTER, INC;  
D/B/A PIKEVILLE MEDICAL CENTER AND  
D/B/A PIKEVILLE METHODIST HOSPITAL  
VS.  
HON. EDDY COLEMAN,  
JUDGE, PIKE CIRCUIT COURT  
AND  
THE ESTATE OF THOMAS ADKINS,  
BY AND THROUGH ITS ADMINISTRATRIX,  
BRENDA ADKINS, ET AL  
ENTERED 08/14/2012

2012-CA-000836-OA

PIKE

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ORDERS GRANTING PETITION FOR WRIT OF PROBITION

NORTON HOSPITALS, INC.,  
D/B/A NORTON HOSPITAL  
VS.  
HON. CHARLES L. CUNNINGHAM, JR.,  
JUDGE, JEFFERSON CIRCUIT COURT

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JEFFERSON

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AND  
ESTATE OF JACOB HILL, BY AND THROUGH  
THE PERSONAL REPRESENTATIVE, ET AL  
ENTERED 08/16/2012

PHILLIP TIBBS, M.D., ET AL  
VS.

2012-CA-000916-OA

FAYETTE

HON. KIMBERLY N. BUNNELL, JUDGE,  
FAYETTE CIRCUIT COURT,  
AND

ESTATE OF LUVETTA GOFF,  
AND CLYDE GOFF  
ENTERED 08/16/2012

ORDERS DISMISSING FROM PREVIOUS WEEK ENDING 08/10/2012

SPRING CREEK RESORT, LLC  
VS.  
MICHAEL DEAN CHAUSSEE  
ENTERED 08/09/2012

2011-CA-000135-MR

CLINTON

GLORIA JOHNSON, ADMINISTRATRIX OF  
THE ESTATE OF DOMINIC PHILEMON STEWART  
VS.  
ENTERPRISE RENT-A-CAR OF KENTUCKY  
ENTERED 08/10/2012

2012-CA-000721-MR

FAYETTE

SALLY BARR, ET AL  
VS.  
BROTHER'S CONSTRUCTION, INC. ET AL  
ENTERED 8/10/2012

2012-CA-000864-MR

HARLAN

DENNIS WALKER, INDIVIDUALLY AND AS  
CO-ADMINISTRATOR OF THE ESTATE OF  
CATHERINE ELAINE GEORGE WALKER,  
DECEASED, ET AL  
VS.

2012-CA-001001-MR

FLOYD

STEPHEN C. SHY, D.O.  
ENTERED 08/10/2012

MICHAEL S. OSBORNE  
VS.  
TONI G. JONES, ET AL  
ENTERED 08/10/2012

2012-CA-000999-ME

JOHNSON

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ORDER DISMISSING FROM PREVIOUS WEEK ENDING 08/10/2012

M. STEPHEN MINIX  
VS.

2012-CA-001042-MR

FAYETTE

FAYETTE COUNTY ATTORNEY,  
LARRY ROBERTS, SHERRY COLLIER  
AND MELLISSA MOORE MURPHY  
ENTERED 08/10/2012

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ORDER DENYING MOTION FOR BELATED APPEAL FROM PREVIOUS WEEK ENDING  
08/10/2012

GILBERT ROARK  
VS.

2012-CA-001090-MR

WOLFE

WILLIAM RAY ROARK  
ENTERED 08/09/2012

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ORDER DENYING INTERLOCUTORY RELIEF FROM PREVIOUS WEEK ENDING 07/06/2012

MINE SHIELD, LLC  
VS.

2012-CA-000498-I

JACKSON

CHINQUAPIN ENTERPRISES, LLC,  
CALVIN HAYES AND TALMADGE HAYES  
ENTERED 06/29/2012