

KENTUCKY COURT OF APPEALS

AUGUST 26, 2022 MINUTES

RELEASED: 10:00 A.M.

552. TRACY R. VIA (N/K/A TRACY R. GRAY) v. GARY B. VIA [2020-CA-0469-MR](#) MCCRACKEN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE K. THOMPSON**
- ACREE, J. (CONCURS) AND CALDWELL, J. (CONCURS)
553. NICHOLAS J. PENDERGRAST v. NICKLAUS DESIGN, LLC [2021-CA-0148-MR](#) JEFFERSON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE MCNEILL**
- CALDWELL, J. (CONCURS) AND MAZE, J. (CONCURS)
554. BENJAMIN G. DUSING v. METROPOLITAN PROPERTY & CASUALTY INSURANCE COMPANY [2021-CA-0200-MR](#) KENTON
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE MCNEILL**
- CLAYTON, C.J. (CONCURS) AND CETRULO, J. (CONCURS)
555. IMANI BAPTIST CHURCH, INC. D/B/A IMANI FAMILY LIFE CENTER, INC. v. FAYETTE COUNTY BOARD OF EDUCATION, ET AL. [2021-CA-0291-MR](#) FAYETTE
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CALDWELL**
- MCNEILL, J. (CONCURS) AND TAYLOR, J. (CONCURS)

KENTUCKY COURT OF APPEALS

AUGUST 26, 2022 MINUTES

RELEASED: 10:00 A.M.

556. MARK ADAM CAVE v.
COMMONWEALTH OF KENTUCKY [2021-CA-0305-MR](#) FAYETTE
NOT TO BE PUBLISHED
**OPINION AFFIRMING BY JUDGE
LAMBERT**
DIXON, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
557. TONY SHACKELTON v.
STATE FARM MUTUAL INSURANCE
COMPANY [2021-CA-0357-MR](#) FAYETTE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE ACREE
DIXON, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS IN RESULT
ONLY)
558. STEPHANIE ENSOR SMITH
(FORMERLY GRIFFIN) v.
ERIC PAUL GRIFFIN [2021-CA-0558-MR](#) DAVIESS
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE ACREE
DIXON, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
559. JOI DENISE ROBY, ET AL. v.
CHURCHILL DOWNS, INC., ET AL. [2021-CA-0766-MR](#) JEFFERSON
TO BE PUBLISHED
**OPINION REVERSING AND REMANDING
BY JUDGE MCNEILL**
LAMBERT, J. (CONCURS) AND
CETRULO, J. (CONCURS IN RESULT AND
FILES SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

AUGUST 26, 2022 MINUTES

RELEASED: 10:00 A.M.

560. DAMON J. KING v.
LINDSEY HARROD [2021-CA-1122-MR](#) HARDIN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE MAZE**
- GOODWINE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS)
561. FRANCISCO RODARTE v.
BLUELINX CORPORATION, ET AL. [2021-CA-1473-WC](#) WORKERS'
[2022-CA-0239-WC](#) COMPENSATION
NOT TO BE BOARD
PUBLISHED
- OPINION AFFIRMING 2021-CA-1473-WC
AND REVERSING AND REMANDING
2022-CA-0239-WC BY JUDGE GOODWINE**
- MCNEILL, J. (CONCURS) AND
MAZE, J. (DISSENTS AND FILES
SEPARATE OPINION)
562. P.J.S. v. [2022-CA-0171-ME](#) JEFFERSON
K.M.S. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
L. THOMPSON**
- DIXON, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
563. S.P. v. [2022-CA-0366-ME](#) FAYETTE
COMMONWEALTH OF KENTUCKY, [2022-CA-0371-ME](#)
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**
SERVICES, ET AL.
- OPINION AFFIRMING BY JUDGE MAZE**
- GOODWINE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS IN RESULT
ONLY)

KENTUCKY COURT OF APPEALS

AUGUST 26, 2022 MINUTES

RELEASED: 10:00 A.M.

564. RICHARD COLE v.
KY FUELS CORP., ET AL.
OPINION AFFIRMING BY JUDGE MAZE
GOODWINE, J. (CONCURS) AND
K. THOMPSON, J. (CONCURS IN RESULT
ONLY)
- [2022-CA-0558-WC](#)
**NOT TO BE
PUBLISHED**
- WORKERS'
COMPENSATION
BOARD
565. JAMES LUERSEN, IN HIS OFFICIAL
CAPACITY AS CAMPBELL COUNTY
CLERK, ET AL. v.
DAVID FISCHER, ET AL.
AND
BRIAN PAINTER, ET AL. v.
DAVID FISCHER, ET AL.
**OPINION REVERSING BY JUDGE
K. THOMPSON**
COMBS, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
- [2022-CA-0788-EL](#)
[2022-CA-0789-EL](#)
TO BE PUBLISHED
- CAMPBELL

ORDERS DISMISSING

- ALLISON BALL, IN HER OFFICIAL CAPACITY AS
TREASURER OF THE COMMONWEALTH OF
KENTUCKY v.
HOLLY JOHNSON, IN HER OFFICIAL CAPACITY
AS SECRETARY OF THE FINANCE AND
ADMINISTRATION CABINET, ET AL.
Entered: AUGUST 19, 2022
- [2021-CA-0773-MR](#)
- FRANKLIN
- VILSON QEHAJA, ET AL. v.
CITY OF PADUCAH, KENTUCKY, ET AL.
Entered: AUGUST 17, 2022
- [2022-CA-0110-MR](#)
- MCCRACKEN
- COMMONWEALTH OF KENTUCKY v.
DATHIEN CORDELL GRAINGER
Entered: AUGUST 19, 2022
- [2022-CA-0278-MR](#)
- WARREN

KENTUCKY COURT OF APPEALS

AUGUST 26, 2022 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

DONALD CARROLL v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0691-MR](#)

RUSSELL

Entered: **AUGUST 17, 2022**

AUSTIN HORSTMAN v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0257-MR](#)

JEFFERSON

Entered: **AUGUST 19, 2022**

ORDERS DENYING PETITIONS FOR REHEARING

JAMES HARRISON v.
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL.

[2020-CA-1531-MR](#)

FRANKLIN

Entered: **AUGUST 18, 2022**

FRANK ALEXANDER, ET AL. v.
OWNERS INSURANCE COMPANY

[2021-CA-0959-MR](#)

JEFFERSON

Entered: **AUGUST 17, 2022**

JULINA M. WINLAND v.
MYKAL L. RIGNSTAFF

[2021-CA-1153-ME](#)
[2021-CA-1154-ME](#)

HARLAN

Entered: **AUGUST 18, 2022**