

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

573. JOHN BYRNES v. NATIONWIDE MUTUAL INSURANCE COMPANY
[2021-CA-1346-MR](#)
[2021-CA-1369-MR](#)
NOT TO BE PUBLISHED JEFFERSON
- OPINION AFFIRMING APPEAL NO. 2021-CA-1346-MR AND AFFIRMING CROSS-APPEAL NO. 2021-CA-1369-MR BY JUDGE TAYLOR**
- EASTON, J. (CONCURS) AND GOODWINE, J. (CONCURS)
574. JERRY KEY, ET AL. v CITIMORTGAGE, INC., ET AL.
[2021-CA-1370-MR](#)
NOT TO BE PUBLISHED JEFFERSON
- OPINION AFFIRMING BY JUDGE CALDWELL**
- ACREE, J. (CONCURS) AND CETRULO, J. (CONCURS)
575. GUILLERMO GONZALES v. MARIA REBECCA MURILLO, ET AL.
[2021-CA-1371-MR](#)
NOT TO BE PUBLISHED MONTGOMERY
- OPINION AFFIRMING BY JUDGE TAYLOR**
- ECKERLE, J. (CONCURS) AND LAMBERT, J. (CONCURS)
576. RODNEY BRATCHER v. BRIAN MORRIS
[2022-CA-0019-MR](#)
NOT TO BE PUBLISHED JEFFERSON
- OPINION AFFIRMING BY JUDGE JONES**
- ACREE, J. (CONCURS) AND EASTON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

577. TIMMY MAYNARD v. [2022-CA-0094-MR](#) FRANKLIN
COOKIE CREWS, COMMISSIONER, **NOT TO BE PUBLISHED**
KENTUCKY DEPARTMENT OF
CORRECTIONS, ET AL.
- OPINION AFFIRMING BY JUDGE TAYLOR**
- COMBS, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
578. THE PARKWAY EXTENDED CARE [2022-CA-0390-MR](#) JEFFERSON
CENTER, INC. D/B/A PARKWAY MEDICAL **NOT TO BE PUBLISHED**
CENTER A/K/A PARKWAY
REHABILITATION AND NURSING CENTER,
ET AL. v.
LEO J. ELIAS, AS EXECUTOR OF THE
ESTATE OF LINDA S. ELIAS, DECEASED,
ET AL.
- OPINION REVERSING AND REMANDING
BY JUDGE CALDWELL**
- COMBS, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
579. DAVID TAYLOR v. [2022-CA-0748-MR](#) CLAY
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AND ORDER AFFIRMING AND
STRIKING ARGUMENT II FROM
APPELLANT'S BRIEF BY JUDGE
ECKERLE.**
- CETRULO, J. (CONCURS) AND
GOODWINE, J. (CONCURS)
580. CALVIN ANDREW MCKINNEY v. [2022-CA-0798-MR](#) WARREN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING
BY JUDGE DIXON**
- ACREE, J. (CONCURS) AND
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

581. EDWARD WILSON v.
KENTUCKY RETIREMENT SYSTEMS,
ET AL. [2022-CA-0808-MR](#) FRANKLIN
TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE TAYLOR**
- COMBS, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
582. DENNIS ASHER, ET AL. v. [2022-CA-0973-MR](#) CLAY
CLAY COUNTY BOARD OF EDUCATION
(CCBOE), ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE DIXON**
- GOODWINE, J. (CONCURS) AND
KAREM, J. (CONCURS)
583. RANDY ROGERS v. [2022-CA-0982-MR](#) LOGAN
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
ECKERLE**
- COMBS, J. (CONCURS) AND
DIXON, J. (CONCURS)
584. KELSEY HAYSE v. [2022-CA-1039-MR](#) DAVIESS
TRAVIS MARTIN, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
ECKERLE**
- CETRULO, J. (CONCURS) AND
GOODWINE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

585. WILL MCGINNIS v. [2022-CA-1143-MR](#) FAYETTE
KENTUCKY UNEMPLOYMENT
INSURANCE COMMISSION, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE CALDWELL**
- ACREE, J. (CONCURS) AND
CETRULO, J. (CONCURS)
586. BILLY A. POE v. [2022-CA-1147-MR](#) LYON
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE CALDWELL**
- ACREE, J. (CONCURS) AND
CETRULO, J. (CONCURS)
587. JOSEPH B. ROBINSON, JR., ET AL. v. [2022-CA-1241-MR](#) BOYLE
JERRY R. LYNN, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE GOODWINE**
- CETRULO, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
588. D.B. v. [2022-CA-1281-ME](#) MERCER
T.C.W., A MINOR CHILD, ET AL. **TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE ACREE**
- GOODWINE, J. (CONCURS) AND
LAMBERT, J. (DISSENTS AND DOES NOT
FILE SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

589. PARKPLACE HOMES, LLC, ET AL. v. [2022-CA-1415-MR](#) PERRY
CANDICE GAYHART, ET AL. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING
BY JUDGE GOODWINE**
- CETRULO, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
590. GARRY DEWAYNE EDWARDS v. [2022-CA-1527-MR](#) PULASKI
GLORIA DENISE EDWARDS [2023-CA-0008-ME](#) ROCKCASTLE
NOT TO BE PUBLISHED
- OPINION AND ORDER AFFIRMING BY
JUDGE COMBS**
- DIXON, J. (CONCURS) AND
ECKERLE, J. (CONCURS)
591. MANDEEP SINGH v. [2023-CA-0355-ME](#) WARREN
HARJINDER KAUR **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE
CETRULO**
- KAREM, J. (CONCURS) AND
MCNEILL, J. (CONCURS)
592. MIZKAN AMERICA, INC. v. [2023-CA-0622-WC](#) WORKERS'
MACK DYKES, ET AL. **NOT TO BE** COMPENSATION
PUBLISHED BOARD
- OPINION AFFIRMING BY JUDGE COMBS**
- DIXON, J. (CONCURS) AND
ECKERLE, J. (CONCURS)

ORDERS DISMISSING

EMILY MABREY v.
JENNIFER H. LEIBSON, ET AL.

[2022-CA-0845-MR](#)

JEFFERSON

Entered: AUGUST 29, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

GWENDOLYN DAVENPORT v.
PENNYROYAL SERVICES, INC., ET AL.

[2022-CA-1385-MR](#)

CHRISTIAN

Entered: AUGUST 24, 2023

ALAN DEAN HUMPHREY v.
THE MEDICAL CENTER OF ALBANY

[2022-CA-1407-MR](#)

CUMBERLAND

Entered: AUGUST 24, 2023

WESTON WILLIAMS v.
MARIO G. RODRIGUEZ, ET AL.

[2022-CA-1413-MR](#)

JEFFERSON

Entered: AUGUST 24, 2023

PENNY MARIE WILLIFORD v.
RUSSELL DRAUGHN WILLIFORD

[2023-CA-0028-MR](#)

SIMPSON

Entered: AUGUST 29, 2023

B.C. v.
COMMONWEALTH OF KENTUCKY, CABINET
FOR HEALTH AND FAMILY SERVICES, ET AL.

[2023-CA-0328-ME](#)

MADISON

Entered: AUGUST 28, 2023

RACHEL LEANN COY v.
MARK ANDREW DAWSON

[2023-CA-0390-ME](#)

BULLITT

Entered: AUGUST 28, 2023

DONNA BARTLEY v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0391-MR](#)

MONROE

Entered: AUGUST 28, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

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ORDERS DISMISSING

KENNETH RAY PREVETT, JR., ET AL. v.
ANNIE MILLER

[2023-CA-0514-MR](#)

HARDIN

Entered: AUGUST 28, 2023

PAUL M. TAYLOR v.
RICK MASTERS, ET AL.

[2023-CA-0539-MR](#)

OLDHAM

Entered: AUGUST 24, 2023

BARRY SATURDAY, PRO SE, ON HIS OWN
BEHALF AND ON BEHALF OF HIS MINOR
CHILDREN, AURORA SATURDAY AND ATHENA
SATURDAY v.
FAYETTE COUNTY BOARD OF EDUCATION,
ET AL.

[2023-CA-0610-MR](#)

FAYETTE

Entered: AUGUST 24, 2023

JOHANA MCROBERTS v.
JUSTIN ALEXANDER MCROBERTS

[2023-CA-0647-MR](#)

MASON

Entered: AUGUST 28, 2023

NICHOLAS SETH PEEK v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0885-MR](#)

BRECKINRIDGE

Entered: AUGUST 28, 2023

KELLY R. PHILBECK v.
KORY ODELL ISAACS, CO-ADMINISTRATOR
OF THE ESTATE OF DONALD K. PHILBECK,
ET AL.

[2023-CA-0346-MR](#)

MADISON

Entered: AUGUST 28, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

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ORDERS DISMISSING

SHAWN ROSS LERNER v.
LOUISVILLE JEFFERSON COUNTY METRO
GOVERNMENT, ET AL.

[2023-CA-0585-MR](#)

JEFFERSON

Entered: AUGUST 29, 2023

JOHN TELEK v.
VERNON WEST

[2023-CA-0633-MR](#)

CAMPBELL

Entered: AUGUST 22, 2023

ROSAURA HILLARD v.
ERIC HILLARD

[2023-CA-0699-MR](#)

HARDIN

Entered: AUGUST 28, 2023

GARY CLICK v.
TIFFANI FRANCIS, ET AL.

[2023-CA-0810-MR](#)

KNOTT

Entered: AUGUST 22, 2023

BRAD L. SMITH v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1186-MR](#)

JEFFERSON

Entered: AUGUST 24, 2023

VON T. BLEVINS v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1443-MR](#)

BOYD

Entered: AUGUST 24, 2023

JOSH L. CLIFF v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0149-MR](#)

DAVIESS

Entered: AUGUST 24, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

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ORDERS DISMISSING

LEVI BLUE SKELTON v.
ALYSSA NICOLE SKELTON

[2023-CA-0230-MR](#)

WARREN

Entered: AUGUST 22, 2023

CHASIDY U. FOWLER v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0284-MR](#)

MCCRACKEN

Entered: AUGUST 24, 2023

BRION ABPLANALP-BRYANT v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0464-MR](#)

KENTON

Entered: AUGUST 28, 2023

MATTHEW DIXON, #312815 v.
KERRY HARVEY: SECRETARY, ET AL.

[2023-CA-0543-MR](#)

FRANKLIN

Entered: AUGUST 24, 2023

JIMMY HALL v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0640-MR](#)

BUTLER

Entered: AUGUST 24, 2023

JIMMY HALL v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0678-MR](#)

BUTLER

Entered: AUGUST 28, 2023

ADAM MICHAEL COLE v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0663-MR](#)

GRAVES

Entered: AUGUST 24, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

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ORDERS DISMISSING

LINDA GREEN v.
COMMERCIAL ELECTRIC COMPANY, INC.

[2022-CA-0809-MR](#)

MERCER

Entered: AUGUST 25, 2023

ALEXANDER MORTON v.
LOUISVILLE METRO GOVERNMENT

[2022-CA-1162-MR](#)

JEFFERSON

Entered: AUGUST 25, 2023

RICHARD LANEY v.
COMMONWEALTH OF KENTUCKY

[2022-CA-1410-MR](#)

LAWRENCE

Entered: AUGUST 24, 2023

LINDA GREEN v.
COMMERCIAL ELECTRIC COMPANY

[2022-CA-1432-MR](#)

MERCER

Entered: AUGUST 25, 2023

NICOLE GREENE v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0042-MR](#)

MARSHALL

Entered: AUGUST 24, 2023

JAMES FOSTER v.
WREN FOSTER

[2023-CA-0283-MR](#)

HARDIN

Entered: AUGUST 25, 2023

CHRIS DOUGLAS HAWKINS v.
SCOTT JORDAN, WARDEN OF KENTUCKY
STATE PENITENTIARY

[2022-CA-0719-MR](#)

LYON

Entered: AUGUST 24, 2023

KENTUCKY COURT OF APPEALS

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ORDERS DISMISSING

LOCUST GROVE, INC. v.
KENTUCKY HIGHLANDS INVESTMENT
CORPORATION, ET AL.

[2023-CA-0253-MR](#)

BELL

Entered: AUGUST 23, 2023

DANIEL CARROLL v.
IKEYLESS, LLC D/B/A CAR KEYS EXPRESS

[2023-CA-0607-I](#)

JEFFERSON

Entered: AUGUST 23, 2023

LARRY R. ORDWAY v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0691-MR](#)

CHRISTIAN

Entered: AUGUST 28, 2023

TERESA M. HARMON v.
BRADLEY R. HARMON

[2023-CA-0752-MR](#)

JEFFERSON

Entered: AUGUST 22, 2023

ORDERS DENYING PETITIONS FOR REHEARING

FRATERNAL ORDER OF POLICE, BLUEGRASS
LODGE #4 v.
LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT, ET AL.

[2022-CA-0029-MR](#)

FAYETTE

Entered: AUGUST 22, 2023

JOHN FAIRLEY, III v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0151-MR](#)

CHRISTIAN

Entered: AUGUST 28, 2023

MEGAN WILSON v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0208-MR](#)

HARDIN

Entered: AUGUST 23, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITIONS FOR REHEARING

DEPARTMENT OF REVENUE, FINANCE AND
ADMINISTRATION CABINET, COMMONWEALTH
OF KENTUCKY v.
CARRIAGE FORD, INC.

[2022-CA-0231-MR](#)

FRANKLIN

Entered: AUGUST 29, 2023

DELENE ANN GILKERSON v.
CHARLES RANDALL GILKERSON, ET AL.

[2022-CA-0270-MR](#)

ROWAN

Entered: AUGUST 22, 2023

ORDER DENYING DISCRETIONARY REVIEW

SCORPION ENTERPRISES, INC. v.
CITY OF BOWLING GREEN, KENTUCKY, ET AL.

[2023-CA-0455-D](#)

WARREN

Entered: AUGUST 29, 2023

ORDERS DENYING PETITIONS FOR WRIT OF MANDAMUS

GLENN A. PEELER, JR. v.
HON. JOHN D. SIMCOE, JUDGE,
HARDIN CIRCUIT COURT, ET AL.

[2023-CA-0247-OA](#)

HARDIN

Entered: AUGUST 28, 2023

ANTHONY BROWN v.
HON. JOHN L. ATKINS, JUDGE,
CHRISTIAN CIRCUIT COURT, ET AL.

[2023-CA-0341-OA](#)

CHRISTIAN

Entered: AUGUST 28, 2023

JEFF CARPENTER v.
HON. JOE W. HENDRICKS, JR., JUDGE,
LOGAN CIRCUIT COURT, ET AL.

[2023-CA-0424-OA](#)

LOGAN

Entered: AUGUST 25, 2023

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDER DENYING PETITION FOR A WRIT OF PROHIBITION

CHARLES H. MORRIS, JR. v.
HON. DAVID CURLIN, JUDGE,
HENDERSON CIRCUIT COURT, ET AL.

[2023-CA-0676-OA](#)

HENDERSON

Entered: **AUGUST 22, 2023**

ORDER DENYING PETITION FOR A WRIT OF PROHIBITION AND/OR MANDAMUS

ANN NICOLE HENSON v.
HON. WILLIAM J. FOOKS, JUDGE,
BOYLE CIRCUIT COURT, ET AL.

[2023-CA-0505-OA](#)

BOYLE

Entered: **AUGUST 28, 2023**

ORDERS AFFIRMING

LAZARO O. POZO ILLAS v.
JAMES GREEN, WARDEN

[2023-CA-0793-ME](#)

JEFFERSON

Entered: **AUGUST 22, 2023**

TIMOTHY ROLLIN v.
KERRY HARVEY, SECRETARY, KY JUSTICE &
PUBLIC SAFETY CABINET

[2023-CA-0828-ME](#)

BOYLE

Entered: **AUGUST 25, 2023**

ORDER REVERSING AND REMANDING

BENJAMIN ANGELO v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0700-ME](#)

KENTON

Entered: **AUGUST 25, 2023**

ORDER REMANDING

JAMES L. SMITH, JR. v.
COMMONWEALTH OF KENTUCKY

[2023-CA-0838-ME](#)

BELL

Entered: **AUGUST 28, 2023**

KENTUCKY COURT OF APPEALS

SEPTEMBER 01, 2023 MINUTES

RELEASED: 10:00 A.M.

ORDER DENYING MOTION FOR BELATED APPEAL

ANGELA WUEST v.
COMMONWEALTH OF KENTUCKY

[2022-CA-0940-MR](#)

KENTON

Entered: **AUGUST 28, 2023**

ORDER DENYING MOTION FOR RELIEF REGARDING PERMANENT INJUNCTION

DAREN CARTER v.
KENTUCKY PROPERTY MANAGEMENT, LLC,
ET AL.

[2023-CA-0634-I](#)

JESSAMINE

Entered: **AUGUST 28, 2023**

ORDER GRANTING MOTION FOR INTERLOCUTORY RELIEF

LEXINGTON COMPUTER RECYCLING, LLC,
D/B/A LEXINGTON ELECTRONIC RECYCLING v.
RECYCLEX, INC. D/B/A LEXINGTON
ELECTRONICS RECYCLING, ET AL.

[2023-CA-0732-I](#)

FAYETTE

Entered: **AUGUST 29, 2023**