

KENTUCKY COURT OF APPEALS

DECEMBER 03, 2021 MINUTES

RELEASED: 10:00 A.M.

764. SCOT GAITHER v. COMMONWEALTH OF KENTUCKY [2019-CA-0072-MR](#) DAVIESS
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE K. THOMPSON
MAZE, J. (CONCURS) AND TAYLOR, J. (CONCURS)
765. BRIAN EDMONDS v. COMMONWEALTH OF KENTUCKY [2019-CA-0468-MR](#) JEFFERSON
NOT TO BE PUBLISHED
OPINION AFFIRMING IN PART, VACATING IN PART, AND REMANDING BY JUDGE TAYLOR
ACREE, J. (CONCURS) AND CLAYTON, C.J. (CONCURS)
766. JERRY LEWIS THIMES v. COMMONWEALTH OF KENTUCKY [2019-CA-1649-MR](#) FAYETTE
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE TAYLOR
CALDWELL, J. (CONCURS) AND JONES, J. (CONCURS)
767. D'KORIEL MARTAZE HOBSON v. COMMONWEALTH OF KENTUCKY [2019-CA-1746-MR](#) DAVIESS
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE L. THOMPSON
DIXON, J. (CONCURS) AND CALDWELL, J. (DISSENTS AND FILES SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

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768. JEREMY BENTON v. [2019-CA-1901-MR](#) CAMPBELL
COMMONWEALTH OF KENTUCKY [2019-CA-1902-MR](#)
RONALD J. HARTIG, JR. v. [2020-CA-0015-MR](#)
COMMONWEALTH OF KENTUCKY [2020-CA-0016-MR](#)
[2020-CA-0092-MR](#)
BILLY TURNER v. [2020-CA-0094-MR](#)
COMMONWEALTH OF KENTUCKY [2020-CA-0162-MR](#)
[2020-CA-0237-MR](#)
ANDREW KLUG v. [2020-CA-0316-MR](#)
COMMONWEALTH OF KENTUCKY [2020-CA-0852-MR](#)
JEFFREY GAMBLE v. **NOT TO BE PUBLISHED**
COMMONWEALTH OF KENTUCKY
CHRISTOPHER MCGOVNEY v.
COMMONWEALTH OF KENTUCKY
ROBERT YOUNG v.
COMMONWEALTH OF KENTUCKY
HAROLD MAGGARD, JR. v.
COMMONWEALTH OF KENTUCKY
JAMES RILEY v.
COMMONWEALTH OF KENTUCKY
CARVEL WALTERS v.
COMMONWEALTH OF KENTUCKY
**OPINION REVERSING AND REMANDING
BY JUDGE K. THOMPSON**
MAZE, J. (CONCURS AND FILES
SEPARATE OPINION) AND
TAYLOR, J. (DISSENTS AND FILES
SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

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769. KENTUCKY CONCEALED CARRY COALITION, INC. v. CITY OF PIKEVILLE, KENTUCKY, ET AL. [2020-CA-0437-MR](#) PIKE
NOT TO BE PUBLISHED
- OPINION REVERSING AND REMANDING BY CHIEF JUDGE CLAYTON**
- GOODWINE, J. (CONCURS) AND MCNEILL, J. (CONCURS)
770. BRIAN T. BATEY v. COMMONWEALTH OF KENTUCKY [2020-CA-0799-MR](#) GREENUP
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE GOODWINE**
- CALDWELL, J. (CONCURS) AND LAMBERT, J. (CONCURS)
771. MICHAEL STAMPER v. CUMBERLAND MACHINERY MOVERS AND INDUSTRIAL SERVICES, INC. [2020-CA-0889-MR](#) MADISON
NOT TO BE PUBLISHED
- OPINION REVERSING AND REMANDING BY JUDGE GOODWINE**
- COMBS, J. (CONCURS) AND LAMBERT, J. (CONCURS)
772. K.C. v. CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. [2020-CA-1167-ME](#) CLARK
NOT TO BE PUBLISHED
- OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE MCNEILL**
- CLAYTON, C.J. (CONCURS) AND GOODWINE, J. (CONCURS)

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773. SHAN WOLFE v.
JOE KIMMEL, ET AL. [2020-CA-1480-MR](#) MCCRACKEN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE CETRULO**
- LAMBERT, J. (CONCURS) AND
TAYLOR, J. (DISSENTS AND DOES NOT
FILE SEPARATE OPNION)
774. WAYMAN ELLIOTT, ET AL. v.
BOBBIE SMITH, ET AL. [2020-CA-1530-ME](#) GREENUP
NOT TO BE PUBLISHED
- OPINION AFFIRMING IN PART,
REVERSING IN PART, AND REMANDING
BY JUDGE DIXON**
- CLAYTON, C.J. (CONCURS) AND
JONES, J. (CONCURS)
775. E.M. v.
COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND FAMILY
SERVICES, ET AL. [2020-CA-1590-ME](#) DAVIESS
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE TAYLOR**
- CETRULO, J. (CONCURS) AND
LAMBERT, J. (CONCURS)
776. GABRIELL GRAY v.
MARK WELLS, ET AL. [2021-CA-0072-MR](#) HARDIN
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE
CETRULO**
- CALDWELL, J. (CONCURS) AND
JONES, J. (CONCURS)

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777. PNC BANK, NATIONAL ASSOCIATION v. EDWARD RILEY, ET AL. [2021-CA-0169-MR](#) KNOX
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE COMBS
DIXON, J. (CONCURS) AND
MAZE, J. (CONCURS)
778. BRENDA DORNACHER v. COVINGTON PUBLIC SCHOOLS, ET AL. [2021-CA-0308-WC](#) WORKERS'
NOT TO BE PUBLISHED COMPENSATION
BOARD
OPINION AFFIRMING BY CHIEF JUDGE CLAYTON
L. THOMPSON, J. (CONCURS) AND
TAYLOR, J. (DISSENTS AND DOES NOT
FILE SEPARATE OPINION)
779. PEPSICO INC. v. SEAN STEWART, ET AL. [2021-CA-0333-WC](#) WORKERS'
NOT TO BE PUBLISHED COMPENSATION
BOARD
OPINION VACATING BY JUDGE ACREE
CLAYTON, C.J. (CONCURS) AND
LAMBERT, J. (CONCURS)
780. F.M.R. v. CABINET FOR HEALTH AND FAMILY SERVICES, COMMONWEALTH OF KENTUCKY, ET AL. [2021-CA-0471-ME](#) MONTGOMERY
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE ACREE
COMBS, J. (CONCURS) AND
MAZE, J. (CONCURS)
781. CODY NEWHOUSER v. CAITLIN N. MCCLEESE [2021-CA-0502-ME](#) GREENUP
NOT TO BE PUBLISHED
OPINION AFFIRMING BY JUDGE COMBS
DIXON, J. (CONCURS) AND
MAZE, J. (CONCURS)

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782. JASON DUNN v.
SARA POGUE [2021-CA-0507-ME](#) BULLITT
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE JONES**
- CLAYTON, C.J. (CONCURS) AND
DIXON, J. (CONCURS)
783. PILGRIM'S PRIDE CORPORATION v.
PATSY HERNDON, ET AL. [2021-CA-0684-WC](#) WORKERS'
NOT TO BE COMPENSATION
PUBLISHED BOARD
- OPINION AFFIRMING BY JUDGE
CETRULO**
- CALDWELL, J. (CONCURS) AND
JONES, J. (CONCURS)
784. D.H. v. [2021-CA-0807-ME](#) KENTON
[2021-CA-0809-ME](#)
[2021-CA-0810-ME](#)
NOT TO BE PUBLISHED
- OPINION AFFIRMING BY JUDGE MAZE**
- COMBS, J. (CONCURS) AND
DIXON, J. (CONCURS)
785. ELLIS POPCORN CO. C/O MATRIX
COMPANIES, TPA v. [2021-CA-1043-WC](#) WORKERS'
NOT TO BE COMPENSATION
PUBLISHED BOARD
- OPINION AFFIRMING BY JUDGE COMBS**
- DIXON, J. (CONCURS) AND
MAZE, J. (CONCURS)

ORDER DIRECTING PUBLICATION OF OPINION

DANIELLE BURCH v.
PAUL LIPSCOMB

[2021-CA-0614-ME](#)

ANDERSON

Entered: NOVEMBER 29, 2021

KENTUCKY COURT OF APPEALS

DECEMBER 03, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DISMISSING

DESHAUNA MIDKIFF v.
JACOB BRYANT

[2020-CA-1374-ME](#)

HARDIN

Entered: NOVEMBER 24, 2021

TRAVELERS CASUALTY & SURETY COMPANY
OF AMERICA v.
CHAMBERS PAINTING, LLC, ET AL.

[2021-CA-0484-MR](#)

ROWAN

Entered: NOVEMBER 23, 2021

ZANE GREER v.
COMMONWEALTH OF KENTUCKY, ET AL.

[2021-CA-1021-MR](#)

GRAYSON

Entered: NOVEMBER 30, 2021

RAY A. MCKENZIE v.
PAINTLICK STATION

[2021-CA-1037-MR](#)

JOHNSON

Entered: NOVEMBER 30, 2021

JONATHAN RICHARDS v.
COMMONWEALTH OF KENTUCKY

[2021-CA-1216-MR](#)

BOURBON

Entered: NOVEMBER 30, 2021

JE TAYLOR v.
JAMES E. TAYLOR, ET AL.

[2021-CA-1095-MR](#)

METCALFE

Entered: NOVEMBER 30, 2021

DANTE' CORVETTE STONE v.
COOKIE CREWS

[2021-CA-1104-ME](#)

FRANKLIN

Entered: NOVEMBER 30, 2021

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DISMISSING

RICHARD B. BERRIAN v.
O'SHEAS TRADITIONAL, INC., ET AL.

[2021-CA-0041-MR](#)
[2021-CA-0469-MR](#)

JEFFERSON

Entered: **NOVEMBER 30, 2021**

SAMANTHA GONZALEZ, ET AL. v.
DARRELL COX, IN HIS OFFICIAL CAPACITY AS
SHELBY COUNTY JAILER

[2021-CA-1111-ME](#)

SHELBY

Entered: **NOVEMBER 22, 2021**

TRAVIEL CIVILS v.
COMMONWEALTH OF KENTUCKY

[2021-CA-0420-MR](#)

HOPKINS

Entered: **NOVEMBER 22, 2021**

ORDERS DENYING PETITION FOR REHEARING

COREY M. BIDDLE, ET AL. v.
PUBLIC SERVICE COMMISSION OF
KENTUCKY, ET AL.

[2018-CA-1686-MR](#)

FRANKLIN

Entered: **NOVEMBER 22, 2021**

NORTON HEALTHCARE, INC. v.
JOYCE TURNER

[2019-CA-0328-MR](#)
[2019-CA-0569-MR](#)

JEFFERSON

Entered: **NOVEMBER 30, 2021**

MEIESHA SHARP v.
COMMONWEALTH OF KENTUCKY

[2019-CA-1158-MR](#)

HENDERSON

Entered: **NOVEMBER 19, 2021**

KENTUCKY COURT OF APPEALS

DECEMBER 03, 2021 MINUTES

RELEASED: 10:00 A.M.

ORDERS DENYING PETITION FOR REHEARING

MICHAEL ARMS, EXECUTOR OF THE ESTATE [2021-CA-0079-MR](#) CUMBERLAND
OF BOBBY G. ARMS, ET AL. v.
SULPHUR CREEK RESORT, INC.,
D/B/A SULPHUR CREEK MARINA
D/B/A MIKE'S LANDING RESTAURANT &
LOUNGE, ET AL.

Entered: DECEMBER 01, 2021

SUSAN L. BLOOD v. [2020-CA-0865-MR](#) BATH
THE CITIZENS BANK (MOREHEAD, KY), ET AL.

Entered: NOVEMBER 22, 2021

ORDER DENYING MOTION FOR BELATED APPEAL

RICHARD CALLISON v. [2021-CA-0802-MR](#) FULTON
COMMONWEALTH OF KENTUCKY

Entered: NOVEMBER 12, 2021

ORDER DENYING MOTION TO RECONSIDER

DR. EDE WARNER, JR. v. [2020-CA-0397-MR](#) JEFFERSON
ANDY BESHEAR, ET AL.

Entered: NOVEMBER 30, 2021

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION

SPENCER STONE v. [2021-CA-0944-OA](#) JEFFERSON
HON. LAUREN ADAMS OGDEN, JUDGE,
JEFFERSON CIRCUIT COURT, ET AL.

Entered: NOVEMBER 23, 2021

KENTUCKY COURT OF APPEALS

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RELEASED: 10:00 A.M.

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION

G.P. v. [2021-CA-1174-OA](#) JEFFERSON
HON. ANGELA MCCORMICK BISIG, JUDGE,
JEFFERSON CIRCUIT COURT, ET AL.

Entered: NOVEMBER 30, 2021

ORDER GRANTING IN PART AND DENYING AS MOOT IN PART PETITION FOR WRIT OF PROHIBITION

EUGENE BAKER v. [2021-CA-0987-OA](#) JEFFERSON
HON. BRIAN CLIFFORD EDWARDS, JUDGE,
JEFFERSON CIRCUIT COURT, ET AL.

Entered: NOVEMBER 30, 2021

ORDER DISMISSING PETITION FOR WRIT OF PROHIBITION

GARY J. RICHARD, ET AL. v. [2021-CA-0866-OA](#) PIKE
HON. EDDY COLEMAN, JUDGE,
PIKE CIRCUIT COURT, ET AL.

Entered: NOVEMBER 19, 2021