

KENTUCKY COURT OF APPEALS

DECEMBER 06, 2024 MINUTES

RELEASED: 10:00 A.M.

- |      |   |  |           |
|------|---|--|-----------|
| 745. | AARON DEXTER WRIGHT v.<br>COMMONWEALTH OF KENTUCKY<br><br><b>OPINION AFFIRMING BY JUDGE<br/>EASTON</b><br><br>CETRULO, J. (CONCURS) AND<br>COMBS, J. (CONCURS)  | <a href="#"><u>2022-CA-0999-MR</u></a><br><b>NOT TO BE PUBLISHED</b>   | DAVIESS   |
| 746. | OLD REPUBLIC AEROSPACE INC. v.<br>LOUISVILLE AVIATION, LLC, ET AL.<br><br><b>OPINION AFFIRMING IN PART AND<br/>REVERSING AND REMANDING IN<br/>PART IN BOTH APPEALS BY JUDGE<br/>LAMBERT</b><br><br>THOMPSON, C.J. (CONCURS) AND<br>A. JONES, J. (CONCURS) | <a href="#"><u>2023-CA-0111-MR</u></a><br><a href="#"><u>2023-CA-0187-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON |
| 747. | SCOTT MCDERMOTT v.<br>COMMONWEALTH OF KENTUCKY<br><br><b>OPINION AFFIRMING BY JUDGE<br/>A. JONES</b><br><br>CETRULO, J. (CONCURS) AND<br>KAREM, J. (CONCURS)  | <a href="#"><u>2023-CA-0166-MR</u></a><br><b>NOT TO BE PUBLISHED</b>   | FAYETTE   |
| 748. | ERIC GANT v.<br>CHRISTA GANT<br><br><b>OPINION AFFIRMING BY JUDGE<br/>MCNEILL</b><br><br>CALDWELL, J. (CONCURS) AND<br>TAYLOR, J. (CONCURS)   | <a href="#"><u>2023-CA-0188-MR</u></a><br><b>NOT TO BE PUBLISHED</b>   | JEFFERSON |

KENTUCKY COURT OF APPEALS

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749. SHARON PURKEY v. [2023-CA-0234-MR](#) ROCKCASTLE  
MUSTARD SEED PROPERTY GROUP, [2023-CA-0430-MR](#)  
LLC **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
A. JONES**  
  
CALDWELL, J. (CONCURS) AND  
CETRULO, J. (CONCURS)
750. JEREMY WICKS v. [2023-CA-0638-MR](#) HOPKINS  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
CETRULO**  
  
ACREE, J. (CONCURS) AND  
A. JONES, J. (CONCURS)
751. RAFAEL CRUZ, MD v. [2023-CA-0728-MR](#) JEFFERSON  
NORTON HEALTHCARE, INC., ET AL. **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
LAMBERT**  
  
CETRULO, J. (CONCURS) AND  
L. JONES, J. (CONCURS)
752. THOMAS J. HONEYCUTT v. [2023-CA-0819-MR](#) BELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION REVERSING AND  
REMANDING BY JUDGE LAMBERT**  
  
THOMPSON, C.J. (CONCURS) AND  
COMBS, J. (CONCURS)

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753. RUSTY WEDDLE v. [2023-CA-0842-MR](#) RUSSELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE TAYLOR**  
  
CALDWELL, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
754. DAMON SUITER v. [2023-CA-0958-MR](#) CHRISTIAN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE GOODWINE**  
  
EASTON, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
755. BURL W. EVERMAN, IN HIS [2023-CA-1018-MR](#) BATH  
INDIVIDUAL AND OFFICIAL **TO BE PUBLISHED**  
CAPACITIES AS A DEPUTY FOR THE  
BATH COUNTY SHERIFF'S  
DEPARTMENT, ET AL. v.  
LESA G. ROBINSON  
  
**OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND  
REMANDING BY JUDGE TAYLOR**  
  
COMBS, J. (CONCURS) AND  
L. JONES, J. (CONCURS)
756. ALEX POINTER v. [2023-CA-1076-MR](#) JEFFERSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION REVERSING AND  
REMANDING BY JUDGE ECKERLE**  
  
GOODWINE, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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757. JEFFERY CARPENTER v. [2023-CA-1079-MR](#) LOGAN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND  
REMANDING BY JUDGE A. JONES**  
  
THOMPSON, C.J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
758. NICKALUS T. HOLT v. [2023-CA-1165-MR](#) WOODFORD  
SPECIALIZED LOAN SERVICING, LLC **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
MCNEILL**  
  
ECKERLE, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
759. D.F. v. [2023-CA-1239-ME](#) CHRISTIAN  
M.S., ET AL. **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
LAMBERT**  
  
COMBS, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
760. BRAY NELSON v. [2023-CA-1277-MR](#) BOONE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
  
**OPINION AFFIRMING BY JUDGE  
COMBS**  
  
CETRULO, J. (CONCURS) AND  
EASTON, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

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**RELEASED: 10:00 A.M.**

761. DLX, INC. v. [2023-CA-1324-MR](#) JOHNSON  
COMMONWEALTH OF KENTUCKY, **NOT TO BE PUBLISHED**  
TRANSPORTATION CABINET,  
DEPARTMENT OF HIGHWAYS  
**OPINION AFFIRMING BY JUDGE TAYLOR**  
GOODWINE, J. (CONCURS) AND  
EASTON, J. (CONCURS AND FILES  
SEPARATE OPINION)
762. SCOT EVANSON, ET AL. v. [2023-CA-1489-MR](#) JEFFERSON  
NATIONSTAR MORTGAGE LLC **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE COMBS**  
CETRULO, J. (CONCURS) AND  
EASTON, J. (CONCURS)
763. MARY MULLINS, INDIVIDUALLY AND [2023-CA-1490-MR](#) PERRY  
AS ADMINISTRATOR OF THE ESTATE **TO BE PUBLISHED**  
OF BILLY MULLINS v.  
APPALACHIAN REGIONAL  
HEALTHCARE, INC. D/B/A HAZARD  
ARH, ET AL.  
**OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND  
REMANDING BY JUDGE EASTON**  
CETRULO, J. (CONCURS) AND  
COMBS, J. (CONCURS)
764. JOANNA SMITH v. [2024-CA-0013-MR](#) CAMPBELL  
CITY OF NEWPORT, ET AL. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE A. JONES**  
COMBS, J. (CONCURS) AND  
KAREM, J. (CONCURS)

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765. SIMEON MCKINNIE v. [2024-CA-0092-MR](#) FRANKLIN  
ZACHARY PARSONS, ET AL. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE CETRULO**  
COMBS, J. (CONCURS) AND  
EASTON, J. (CONCURS)
766. JAMIE YOUNT v. [2024-CA-0109-MR](#) WHITLEY  
RONALD CANADA, ET AL. **TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE KAREM**  
CALDWELL, J. (CONCURS) AND  
COMBS, J. (CONCURS)
767. RICKY FOXALL, ET AL. v. [2024-CA-0110-MR](#) WARREN  
KEVIN ROGERS, ET AL. **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**  
ECKERLE, J. (CONCURS) AND  
A. JONES, J. (CONCURS)
768. ALEXANDER MORGAN v. [2024-CA-0137-MR](#) HARDIN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING IN PART, VACATING IN PART, AND REMANDING BY JUDGE COMBS**  
CETRULO, J. (CONCURS) AND  
L. JONES, J. (CONCURS)

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**RELEASED: 10:00 A.M.**

769. REBECCA REYNOLDS v. [2024-CA-0185-MR](#) OLDHAM  
BAPTIST HEALTHCARE SYSTEMS, **NOT TO BE PUBLISHED**  
INC., D/B/A BAPTIST HEALTH LA  
GRANGE, ET AL.
- OPINION AFFIRMING BY CHIEF  
JUDGE THOMPSON**
- ECKERLE, J. (CONCURS) AND  
A. JONES, J. (DISSENTS AND FILES  
SEPARATE OPINION)
770. CITY OF VANCEBURG, KENTUCKY v. [2024-CA-0232-MR](#) LEWIS  
LEWIS COUNTY BOARD OF **NOT TO BE PUBLISHED**  
EDUCATION
- OPINION AND ORDER DISMISSING  
BY JUDGE CETRULO**
- COMBS, J. (CONCURS) AND  
EASTON, J. (CONCURS)
771. SARAH E. CRITTENDON v. [2024-CA-0252-MR](#) GRANT  
NATIONAL COLLEGIATE STUDENT **NOT TO BE PUBLISHED**  
LOAN TRUST 2007-2
- OPINION AFFIRMING BY JUDGE  
COMBS**
- CETRULO, J. (CONCURS) AND  
EASTON, J. (CONCURS)
772. COMMONWEALTH OF KENTUCKY, [2024-CA-0284-MR](#) LAUREL  
TRANSPORTATION CABINET, **NOT TO BE PUBLISHED**  
DEPARTMENT OF HIGHWAYS v.  
LONDON MEDICAL PROPERTIES, LLC
- OPINION AFFIRMING BY CHIEF  
JUDGE THOMPSON**
- ECKERLE, J. (CONCURS) AND  
A. JONES, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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| 773.   | MEGHAN TURNER v.<br>FARMERS DIRECT AND CASUALTY<br>INSURANCE COMPANY                      | <a href="#">2024-CA-0297-MR</a><br><b>NOT TO BE PUBLISHED</b> | FAYETTE   |
| <b>OPINION AFFIRMING BY JUDGE<br/>EASTON</b>                 |   |   |           |
| CETRULO, J. (CONCURS) AND<br>COMBS, J. (CONCURS)             |   |   |           |
|  |   |   |           |
| 774.   | RUSLAN FEYZULOV v.<br>RAVSHAN ALIYEV  | <a href="#">2024-CA-0310-MR</a><br><b>NOT TO BE PUBLISHED</b> | WARREN    |
| <b>OPINION AFFIRMING BY JUDGE<br/>COMBS</b>                  |   |   |           |
| CETRULO, J. (CONCURS) AND<br>EASTON, J. (CONCURS)            |   |   |           |
|  |   |   |           |
| 775.   | ASHLEY NICOLE HILD v.<br>RICHARD WILLIAM HILD   | <a href="#">2024-CA-0363-ME</a><br><b>NOT TO BE PUBLISHED</b> | OLDHAM    |
| <b>OPINION AFFIRMING BY JUDGE<br/>KAREM</b>                  |   |   |           |
| CALDWELL, J. (CONCURS) AND<br>COMBS, J. (CONCURS)            |   |   |           |
|  |   |   |           |
| 776.   | CABINET FOR HEALTH AND FAMILY<br>SERVICES, COMMONWEALTH OF<br>KENTUCKY v.<br>D.R., ET AL. | <a href="#">2024-CA-0415-ME</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON |
| <b>OPINION REVERSING AND<br/>REMANDING BY JUDGE GOODWINE</b> |   |   |           |
| EASTON, J. (CONCURS) AND<br>TAYLOR, J. (CONCURS)             |   |   |           |



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777. D.O.L. v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, ET AL.	<a href="#">2024-CA-0718-ME</a> <a href="#">2024-CA-0720-ME</a> <a href="#">2024-CA-0721-ME</a> <b>NOT TO BE PUBLISHED</b>	BULLITT
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**OPINION AFFIRMING BY CHIEF  
JUDGE THOMPSON**

ECKERLE, J. (CONCURS) AND  
A. JONES, J. (CONCURS)

**ORDER DENYING PETITION FOR REHEARING**

THOMAS O. EIFLER, JR. v. ARDIS GREENAMYER, II	<a href="#">2023-CA-1026-MR</a>	JEFFERSON
<b>Entered: NOVEMBER 25, 2024</b>		

**ORDER DENYING PETITION FOR MODIFICATION**

JOHNATHAN PARKS v. COMMONWEALTH OF KENTUCKY	<a href="#">2023-CA-1418-MR</a>	GRAYSON
<b>Entered: NOVEMBER 27, 2024</b>		

**ORDER DENYING PETITION FOR WRIT OF PROHIBITION**

MARY J. RATLIFF, ET AL. v. HON. JOHNNY RAY HARRIS, JUDGE, FLOYD CIRCUIT COURT, ET AL.	<a href="#">2024-CA-1088-OA</a>	FLOYD
<b>Entered: DECEMBER 03, 2024</b>		