

COURT OF APPEALS OF KENTUCKY

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385	HILLTOP BASIC RESOURCES, INC., ET AL. VS. COUNTY OF BOONE, KENTUCKY, ET AL. OPINION AFFIRMING COMBS (PRESIDING JUDGE) BARBER (CONCURS) AND KNOFF (CONCURS)	2002-CA-1081-MR TO BE PUBLISHED	BOONE
386	HURT (ANNA) VS. YOUNG (DELZA), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) MCANULTY (CONCURS) AND SCHRODER (CONCURS)	2003-CA-2770-MR NOT TO BE PUBLISHED	KNOTT
387	RICKETT (JAMES), ET AL. VS. RICKETT (DANNY) OPINION AFFIRMING JOHNSON (PRESIDING JUDGE) COMBS (CONCURS) AND MCANULTY (CONCURS)	2004-CA-1035-MR NOT TO BE PUBLISHED	WHITLEY
388	MULLIKEN (TERRY K.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MINTON (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS)	2004-CA-1603-MR NOT TO BE PUBLISHED	PIKE
389	MAYFIELD (STEVEN R.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) TACKETT (CONCURS) AND TAYLOR (CONCURS)	2004-CA-1907-MR NOT TO BE PUBLISHED	JEFFERSON
390	DEBERRY (CHARLES), ET AL. VS. FERGUSON (TOY), ET AL. OPINION AFFIRMING MINTON (PRESIDING JUDGE) BARBER (CONCURS) AND DYCHE (CONCURS)	2004-CA-2224-MR NOT TO BE PUBLISHED	KNOX

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391	GILLESPIE (THOMAS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KNOPF (PRESIDING JUDGE) COMBS (CONCURS) AND BUCKINGHAM (CONCURS)	2004-CA-2343-MR 2005-CA-0730-MR NOT TO BE PUBLISHED	FAYETTE
392	KENTUCKY LEGAL SYSTEMS CORPORATION VS. DUNN (N. E.), ET AL. OPINION AFFIRMING TACKETT (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-2352-MR TO BE PUBLISHED	FAYETTE
393	HOSKINS (TAMMY) VS. THE HUNTINGTON NATIONAL BANK OPINION AFFIRMING TACKETT (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-2431-MR NOT TO BE PUBLISHED	FAYETTE
394	BLAKE (NOW HATCH) (STACEY K.) VS. BLAKE (RONALD E.) OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) SCHRODER (CONCURS) AND MILLER (CONCURS)	2004-CA-2446-MR NOT TO BE PUBLISHED	WOODFORD
395	AKIN (FORMERLY HART) (MIRIAM E.) VS. HART (CURTIS W.) OPINION AFFIRMING MINTON (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS)	2004-CA-2632-MR NOT TO BE PUBLISHED	FAYETTE
396	SOUTH WILLIAMSON LODGING, INC./SUPER 8 MOTEL VS. HATCHER (WILBERT) OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2005-CA-0098-MR NOT TO BE PUBLISHED	PIKE

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397	COMMONWEALTH OF KENTUCKY VS. TILLMAN (MARGARET), ET AL. OPINION REVERSING AND REMANDING HENRY (PRESIDING JUDGE) BARBER (DISSENTS) AND KNOPF (CONCURS)	2005-CA-0136-MR NOT TO BE PUBLISHED	FRANKLIN
398	SEABOLD (WILLIAM), ET AL. VS. ESTATE OF FRANK MARSHALL HARBIN, JR., ET AL. OPINION AND ORDER DISMISSING APPEAL MINTON (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS IN RESULT ONLY)	2005-CA-0267-MR NOT TO BE PUBLISHED	OLDHAM
399	COMMONWEALTH OF KY., CAB. FOR HEALTH AND FAMILY SERVICES, ET AL. VS. EPI CORPORATION OPINION AFFIRMING IN PART AND REVERSING AND REMANDING IN PART BARBER (PRESIDING JUDGE) MINTON (CONCURS) AND TACKETT (CONCURS)	2005-CA-0274-MR TO BE PUBLISHED	ANDERSON
400	COMMONWEALTH OF KENTUCKY, EX REL. VS. ARLINGHAUS (STEVE) OPINION AFFIRMING MINTON (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS)	2005-CA-0404-MR NOT TO BE PUBLISHED	KENTON
401	MASSEY (TERRY G.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) DYCHE (CONCURS) AND KNOPF (CONCURS)	2005-CA-0407-MR NOT TO BE PUBLISHED	WARREN
402	JETT (DAVID), ET AL. VS. PRUITT (TERRY), ET AL. OPINION AFFIRMING MINTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND MILLER (CONCURS)	2005-CA-0450-MR NOT TO BE PUBLISHED	FAYETTE

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403	WINKLE (ANTHONY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) SCHRODER (CONCURS) AND MILLER (CONCURS)	2005-CA-0473-MR NOT TO BE PUBLISHED	BRACKEN
404	U.S. FOAM CORPORATION VS. FOAM DESIGN, INC. OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) SCHRODER (CONCURS) AND MILLER (CONCURS)	2005-CA-0555-MR NOT TO BE PUBLISHED	FAYETTE
405	POWERS (CHRISTOPHER TODD) VS. PARK, M.D. (KEE BUM), ET AL. OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND JOHNSON (CONCURS)	2005-CA-0707-MR TO BE PUBLISHED	MCCRACKEN
406	SPENCER (KENNETH) VS. SPENCER (AVA) OPINION VACATING AND REMANDING HUDDLESTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND JOHNSON (CONCURS)	2005-CA-1419-ME TO BE PUBLISHED	WARREN
407	BLUEGRASS COOPERAGE VS. JOHNSON (MIKE), ET AL. OPINION AFFIRMING MINTON (PRESIDING JUDGE) BARBER (CONCURS) AND DYCHE (CONCURS)	2005-CA-1622-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
408	WOOSLEY (TERRELL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND TAYLOR (CONCURS)	2005-CA-1815-MR NOT TO BE PUBLISHED	HOPKINS

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ORDERS AFFIRMING:

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STOVALL (OLIVER) 2006-CA-0381-MR FRANKLIN
VS.
KENTUCKY DEPARTMENT OF CORRECTIONS
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AKERS (TONY) 2006-CA-0479-MR OLDHAM
VS.
CHANDLER (LARRY), WARDEN
ENTERED: 04/10/06

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ORDER GRANTING WRIT OF PROHIBITION:

POWELL (ROBERT) 2005-CA-0525-OA IN COURT OF
VS. APPEALS
HON. WILLIAM L. GRAHAM, JUDGE
FRANKLIN CIRCUIT COURT, ET AL.
ENTERED: 04/12/06

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ORDER DENYING PETITION FOR WRIT OF MANDAMUS AS MOOT:

WASHINGTON (TERRY L.) 2005-CA-1681-OA IN COURT OF
VS. APPEALS
HON. ROGER L. CRITTENDEN, JUDGE
FRANKLIN CIRCUIT COURT, ET AL.
ENTERED: 04/11/06

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ORDER DENYING MOTION FOR DISCRETIONARY REVIEW:

HINES (RONALD E.) 2006-CA-0309-DR GRAYSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/10/06

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ORDER REVERSING AND REMANDING:

PORTER (DREAMA D.) 2004-CA-0366-MR BOYD
VS.
KENTUCKY FARM BUREAU INSURANCE
COMPANY
ENTERED: 04/11/06

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ORDERS DENYING PETITION FOR WRIT OF MANDAMUS:

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COLEMAN (WILLIAM) 2005-CA-2066-OA IN COURT OF APPEALS
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HON. CRAIG Z. CLYMER, JUDGE
MCCRACKEN CIRCUIT COURT, ET AL.
ENTERED: 04/11/06

JOWERS (MICHAEL) 2005-CA-2628-OA IN COURT OF APPEALS
VS.
HON. JAMES M. SHAKE, JUDGE
JEFFERSON CIRCUIT COURT, ET AL.
ENTERED: 04/10/06

BERTRAM (ROBERT L.) 2006-CA-0357-OA IN COURT OF APPEALS
VS.
HON. JOHN W. POTTER, SPECIAL JUDGE
RUSSELL CIRCUIT COURT, ET AL.
ENTERED: 04/10/06

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION AND MANDAMUS AS MOOT:

WALKER (WILLIAM B.) 2006-CA-0319-OA IN COURT OF APPEALS
VS.
HON. JOHN GRISE, JUDGE
WARREN CIRCUIT COURT, ET AL.
ENTERED: 04/10/06

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ORDER DENYING PETITION FOR REHEARING:

DURHAM (STACY) 2004-CA-1921-MR WOLFE
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/12/06

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ORDER MODIFYING OPINION RENDERED MARCH 10, 2006. THE ATTACHED OPINION IS SUBSTITUTED IN ITS ENTIRETY:

JAGO (JOHN OUSBIE) 2004-CA-2569-MR CHRISTIAN
VS. 2004-CA-2577-MR
SPECIAL NEEDS HOME HEALTH CARE
ENTERED: 04/14/06

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ORDERS DISMISSING:

EBERENZ (RICHARD B.), ET AL. 1994-CA-0339-MR JEFFERSON
VS.
HOME OWNERS WARRANTY CORPORATION
ENTERED: 04/12/06

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RAIZOR (GERALD) 2004-CA-2084-MR JEFFERSON
VS. 2004-CA-2085-MR
DICHIARA (FONDA), ET AL. 2004-CA-2090-MR
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GRAHAM (MICHAEL) 2004-CA-2135-MR MERCER
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/12/06

CISSNA (WILSON) 2005-CA-0034-MR FRANKLIN
VS.
COY (JOHN), CHAIRMAN, KENTUCKY
PAROLE BOARD
ENTERED: 04/11/06

M.S. 2005-CA-0083-ME BARREN
VS.
COMMONWEALTH OF KENTUCKY, ET AL.
ENTERED: 04/11/06

SPALDING (WILLIAM VINCENT) 2005-CA-0320-MR MARION
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/10/06

CRAWFORD (RONNIE W.) 2005-CA-0546-MR JEFFERSON
VS.
CRAWFORD (LINDA S.)
ENTERED: 04/11/06

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ORDERS DISMISSING (CONTINUED):

LIGHT, M.D. (MICHAEL JOHN) 2005-CA-0593-MR JEFFERSON
VS.
HENRY (SABRINA RHEA) (FORMERLY
LIGHT)
ENTERED: 04/12/06

PRIEST (BELINDA) 2005-CA-0851-MR JEFFERSON
VS.
LAMBERT (WESLEY)
ENTERED: 04/11/06

O'DANIEL (MARGARET) 2005-CA-0935-MR JEFFERSON
VS.
MEINHART (CHRIS), ADMINISTRATOR OF
THE ESTATE OF DANNY O'DANIEL, ET
AL.
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REYNA CAPITAL CORPO 2005-CA-1002-MR BOYD
RATION
VS.
SUPERIOR CHRYSLER, PLYMOUTH,
DODGE, JEEP AND EAGLE OF ASHLAND,
INC., ET AL.
ENTERED: 04/11/06

ADLER (KATIE) 2005-CA-1005-MR LOGAN
VS.
ELLIOTT (JOSEPHINE)
ENTERED: 04/11/06

RENNER (DOROTHY) 2005-CA-1133-MR MASON
VS.
ELLIOTT (TIMMIE)
ENTERED: 04/12/06

SLONE (MICHAEL) 2005-CA-1259-MR FLOYD
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/10/06

WHITE (JAMES C.), ET AL. 2005-CA-1381-MR BULLITT
VS.
COMMONWEALTH OF KENTUCKY, COUNTY
OF BULLITT, ETC., ET AL.
ENTERED: 04/11/06

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ORDERS DISMISSING (CONTINUED):

HUSKISSON (BETH ANN) 2005-CA-1392-MR FAYETTE
VS.
D'ANGELO, M.D. (GREG), ET AL.
ENTERED: 04/12/06

WHITE, JR. (JAMES LINTON) 2005-CA-1483-MR CHRISTIAN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/11/06

INTRA-MED SERVICES, INC., ET AL. 2005-CA-1570-MR JEFFERSON
VS. 2006-CA-0287-MR
DIAGNOSTIC MEDICAL IMAGING
ASSOCIATES, P.S.C.
ENTERED: 04/10/06

LAMAR (LON) 2005-CA-1668-MR JEFFERSON
VS.
MANSARD HOUSE CONDOMINIUM
ASSOCIATION, ET AL.
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MOORE (RICHARD) 2005-CA-1807-MR ROWAN
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LAZAR (DAVID J.) 2005-CA-1840-MR CARROLL
VS.
BATES, JR. (RAYMOND E.), ET AL.
ENTERED: 04/10/06

PARRIS (STEVE WAYNE) 2005-CA-1930-MR HARDIN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/12/06

DUNBAR ONE STOP, INC. 2005-CA-2001-MR BUTLER
VS.
OCCIDENTAL FIRE AND CASUALTY CO.
OF NORTH CAROLINA
ENTERED: 4/11/06

WELCH (MICHAEL GENE) 2005-CA-2085-MR ALLEN
VS.
COMMONWEALTH OF KENTUCKY
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ORDERS DISMISSING (CONTINUED):

KAREM (FRED E.) 2005-CA-2091-MR JEFFERSON
VS.
KAREM (KAREN)
ENTERED: 04/11/06

WOODRING (ANGELA) 2005-CA-2103-MR WEBSTER
VS.
BICKETT (ROYCE), ET AL.
ENTERED: 04/12/06

ZAHLER (DENNIS) 2005-CA-2119-MR CAMPBELL
VS.
HUEBENER (VICTORIA), ET AL.
ENTERED: 04/12/06

COMMONWEALTH OF KENTUCKY 2005-CA-2199-MR JEFFERSON
VS.
MUDD (MELVIN)
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ETHINGTON (DONNIE LEE), ET AL. 2005-CA-2223-MR SHELBY
VS.
PERRY (BEVERLY ANN)
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TRADING POST MOBILE HOMES, INC. 2005-CA-2238-MR MONTGOMERY
VS.
LACASSE (RETA), ET AL.
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WEST (ALEXANDER) 2005-CA-2248-MR HARDIN
VS.
WEST (ALICE L.) (NOW GALLOP)
ENTERED: 04/12/06

ANDERSON (ELIZABETH), 2005-CA-2250-MR JEFFERSON
INDIVIDUALLY, ET AL.
VS.
DIXIE WAREHOUSE SERVICES, LLC
ENTERED: 04/11/06

SUN LIFE ASSURANCE COMPANY OF 2005-CA-2297-MR LAUREL
CANADA
VS.
DIXON, (CHRISTINA NICOLE) ETC., ET
AL.
ENTERED: 04/12/06

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ORDERS DISMISSING (CONTINUED):

CHRISTIAN (BENJAMIN FRANKLIN) 2005-CA-2373-MR GREENUP
VS.
AMERICAN HONDA FINANCE CORPORATION
ENTERED: 04/11/06

MCGEE (COLUMBUS) 2005-CA-2417-MR CHRISTIAN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/10/06

HORNBACK (LINDA FAYE) 2005-CA-2438-MR HARDIN
VS.
HYMES, M.D. (WILLIAM), ET AL.
ENTERED: 04/12/06

COYNE TEXTILE SERVICES, INC. 2005-CA-2484-MR PIKE
VS.
PEKING RESTAURANT, ET AL.
ENTERED: 04/11/06

INJURY & REHAB CENTERS OF 2006-CA-0014-MR FRANKLIN
KENTUCKY, PLLC
VS.
COMMONWEALTH OF KENTUCKY
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APPLEGATE (DONNIE) VS. COMMONWEALTH OF KENTUCKY ENTERED: 04/10/06	2006-CA-0118-MR	CAMPBELL
THORNTON (OTIS) VS. COMMONWEALTH OF KENTUCKY ENTERED: 04/11/06	2006-CA-0120-MR	DAVIESS
WYATT (PAUL D.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 04/12/06	2006-CA-0196-MR	CASEY

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ORDERS DISMISSING (CONTINUED):

ABELL (MICHAEL E.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 04/11/06	2006-CA-0198-MR	CASEY
BRUENDERMAN (KATHERINE) VS. THE KROGER COMPANY ENTERED: 04/11/06	2006-CA-0204-MR	KENTON
NOLAND (LEON R.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 04/12/06	2006-CA-0211-MR	FAYETTE
SLONE (PHILLIP) VS. SLONE (TOBY SPRADLIN) ENTERED: 04/11/06	2006-CA-0228-MR	FLOYD
MARINAS-JAMESTOWN, L.P. VS. JR & M, LTD., ET AL. ENTERED: 04/11/06	2006-CA-0244-MR	RUSSELL
JENKINS (KELLY T.) VS. LEAVELL, JR. (LIVY), JAILER ENTERED: 04/11/06	2006-CA-0246-MR	CHRISTIAN

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STEVENS (JOHN ROBERT) 2006-CA-0271-MR WARREN
VS.
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CLAIR (JEFFERY K.), ET AL. 2006-CA-0291-MR GRANT
VS.
HILLENMEYER (PAUL E.), ET AL.
ENTERED: 04/11/06

ENGLAND (STEVE) 2006-CA-0390-MR GRAVES
VS.
LAIRD (BARRY), ADMINISTRATOR OF
THE ESTATE OF LISA G. HALVORSON
ENTERED: 04/12/06

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ORDERS DISMISSING (CONTINUED):

DOTSON (EDDIE) 2006-CA-0428-MR BOONE
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 04/10/06