COURT OF APPEALS OF KENTUCKY 08/18/2006 AT 10:00 A.M. PAGE 1 OF 13				
845	SETTLE (JANE) VS. WIEMAN, M.D. (THOMAS JEFFERY) OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND KNOPF (CONCURS)	2004-CA-1290-MR NOT TO BE PUBLISHED	JEFFERSON	
846	SACKETT (HUGH F.) VS. CITIZENS FIRST BANK OPINION AND ORDER AFFIRMING KNOPF (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND BUCKINGHAM (CONCURS)	2004-CA-1324-MR 2004-CA-1340-MR NOT TO BE PUBLISHED	WARREN	
847	BISHOP (VERTIS RAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BARBER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2004-CA-2282-MR NOT TO BE PUBLISHED	PIKE	
848	O'HAIR (MAXINE) VS. WELLS (CARL) OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) HENRY (CONCURS) AND EMBERTON (CONCURS)	2004-CA-2481-MR TO BE PUBLISHED	POWELL	
849	LOGSDON (SAMMY A.) VS. CARDINAL INDUSTRIAL INSULATION COMPANY, INC. OPINION AFFIRMING KNOPF (PRESIDING JUDGE) BARBER (DISSENTS) AND BUCKINGHAM (CONCURS)	2004-CA-2516-MR 2004-CA-2626-MR 2005-CA-0146-MR NOT TO BE PUBLISHED	JEFFERSON	
850	HORVATH (RONALD) VS. HORVATH (DARLYNN RENEE) OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING KNOPF (PRESIDING JUDGE) COMBS (CONCURS) AND POTTER (DISSENTS IN PART AND FILES A SEPARATE OPINION)	2004-CA-2591-MR NOT TO BE PUBLISHED	KENTON	

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851	CURETON (ROLAND L.) VS. COMMONWEALTH OF KENTUCKY OPINION AND ORDER DISMISSING HUDDLESTON (PRESIDING JUDGE) JOHNSON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-2638-MR NOT TO BE PUBLISHED	FAYETTE	
852	CITY OF FRANKFORT VS. DAVENPORT (JAMES), ET AL. OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING SCHRODER (PRESIDING JUDGE) JOHNSON (CONCURS IN PART, DISSENTS IN PART AND FILES SEPARATE OPINION) AND BUCKINGHAM (CONCURS)	2005-CA-0036-MR 2005-CA-0048-MR 2005-CA-0049-MR NOT TO BE PUBLISHED	FRANKLIN	
853	BURTON (DAVID RAY) VS. CSX TRANSPORTATION, INC. OPINION AFFIRMING COMBS (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND HENRY (CONCURS)	2005-CA-0226-MR 2005-CA-0455-MR NOT TO BE PUBLISHED	JEFFERSON	
854	WEATHERS (LARRY WAYNE) VS. GRANGE INSURANCE, ET AL. OPINION AFFIRMING BARBER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2005-CA-0446-MR NOT TO BE PUBLISHED	MARION	
855	COM. OF KY., TRANSPORTATION CABINET, DEPT. OF HIGHWAYS VS. NASH (ROBERT WAYNE), ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND KNOPF (CONCURS)	2005-CA-0558-MR NOT TO BE PUBLISHED	MEADE	
856	FERGUSON (GERALD LEE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KNOPF (PRESIDING JUDGE) ABRAMSON (CONCURS) AND VANMETER (CONCURS)	2005-CA-0763-MR NOT TO BE PUBLISHED	JEFFERSON	

COURT OF APPEALS OF KENTUCKY 08/18/2006 AT 10:00 A.M. PAGE 3 OF 13			
857	ISON (GEORGE) VS. GEICO GENERAL INSURANCE CO., ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND ABRAMSON (CONCURS)	2005-CA-0944-MR NOT TO BE PUBLISHED	PENDLETON
858	JELLINICK (RICHARD) VS. CAPITOL INDEMNITY CORPORATION, ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2005-CA-0951-MR TO BE PUBLISHED	JEFFERSON
859	HENDERSON (CHRISTOPHER ANTOINE) VS. TAYLOR (SHAQUANDRA TRANAE) OPINION REVERSING AND REMANDING BARBER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2005-CA-1013-ME NOT TO BE PUBLISHED	FRANKLIN
860	PRICE (PAULA SHELLY) VS. CALDWELL (KENNETH) OPINION AFFIRMING BARBER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND MINTON (CONCURS)	2005-CA-1095-MR NOT TO BE PUBLISHED	PENDLETON
861	BEECH BEND RACEWAY PARK, INC., ET AL. VS. BAKER (MATTHEW), ET AL. OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING VANMETER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND KNOPF (CONCURS WITH SEPARATE OPINION)	2005-CA-1107-MR NOT TO BE PUBLISHED	LOGAN
862	WHITLOCK (SHELIA L.) VS. LOVELESS (ANNA), ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) BARBER (CONCURS) AND EMBERTON (CONCURS)	2005-CA-1136-MR NOT TO BE PUBLISHED	JEFFERSON

	COURT OF APPEALS OF KENTUCKY 08/18/2006 AT 10:00 A.M. PAGE 4 OF 13			
863	SMITH (TERESA) VS. COMMONWEALTH OF KENTUCKY (JUSTICE CABINET DEPT. OF JUVENILE JUSTICE), ET AL. OPINION REVERSING AND REMANDING GUIDUGLI (PRESIDING JUDGE) SCHRODER (CONCURS) AND MILLER (CONCURS IN RESULT ONLY)	2005-CA-1170-MR NOT TO BE PUBLISHED	FRANKLIN	
864	LOGSDON (DIANA S.), ET AL. VS. SCIENTIFIC DESIGN COMPANY, INC. OPINION VACATING AND REMANDING COMBS (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND HENRY (CONCURS)	2005-CA-1281-MR NOT TO BE PUBLISHED	JEFFERSON	
865	DELABAR (ROBERT K.) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING POTTER (PRESIDING JUDGE) HENRY (DISSENTS AND FILES SEPARATE OPINION) AND COMBS (CONCURS)	2005-CA-1319-MR NOT TO BE PUBLISHED	MASON	
866	DONES (PAMELA) VS. SUPER SERVICE, INC. OPINION AFFIRMING IN PART, VACATING IN PART, AND REMANDING COMBS (PRESIDING JUDGE) BARBER (CONCURS) AND POTTER (CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION)	2005-CA-1696-MR NOT TO BE PUBLISHED	MADISON	
867	COMMONWEALTH OF KENTUCKY VS. FRANZELL (JOEY FRANCIS) OPINION VACATING AND REMANDING VANMETER (PRESIDING JUDGE) BARBER (CONCURS) AND BUCKINGHAM (CONCURS)	2005-CA-1880-MR NOT TO BE PUBLISHED	BUTLER	
868	SHAW, JR. (WILLIE LEE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND VANMETER (CONCURS)	2005-CA-1906-MR NOT TO BE PUBLISHED	MCCRACKEN	

COURT OF APPEALS OF KENTUCKY 08/18/2006 AT 10:00 A.M. PAGE 5 OF 13			
869	MILLS (VERNON) VS. GRANDE (EDVARD) OPINION VACATING AND REMANDING SCHRODER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND ROSENBLUM (CONCURS)	2005-CA-2013-MR NOT TO BE PUBLISHED	KNOX
870	MONUMENTAL LIFE INSURANCE COMPANY VS. THE DEPARTMENT OF REVENUE, ET AL. OPINION AND ORDER REMANDING VANMETER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND TAYLOR (CONCURS)	2005-CA-2148-MR TO BE PUBLISHED	FRANKLIN
871	BROUGHTON (RODNEY) VS. QUALITY CARRIERS, ET AL. OPINION AFFIRMING BARBER (PRESIDING JUDGE) ABRAMSON (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0062-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
872	SOUTHEAST COAL COMPANY VS. MANSFIELD (PEGGY LOU), ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND EMBERTON (CONCURS)	2006-CA-0085-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

### ORDER DENYING PETITION FOR REHEARING:

LAWSON (GEORGE D.)

2004-CA-2523-MR

WARREN

VS.

HAYNES (WILLIAM S.) ENTERED: 08/16/06

#### ORDER MODIFYING OPINION RENDERED JULY 7, 2006:

COMMONWEALTH OF KENTUCKY, CABINET 2
FOR HEALTH AND FAMILY SERVICES TO

2005-CA-2315-ME FLOYD

TO BE PUBLISHED

VS.

R.H., ET AL.

ENTERED: 08/18/06

#### ORDERS DISMISSING:

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JONES (EARL LEE) VS. GERARDI (JOHN), ET AL. ENTERED: 08/15/06	2006-CA-0173-MR	FAYETTE
WOOD (JACK D.) VS. SHERLOCK (PAULA F.), ET AL. ENTERED: 08/15/06	2006-CA-0915-MR	JEFFERSON
HALL (HENRY W.) VS. SIMPSON (THOMAS), WARDEN ENTERED: 08/14/06	2006-CA-1037-MR	LYON
HALE, (STEPHEN), ET AL. VS. MANDELL (KENNETH) ENTERED: 08/15/06	2006-CA-1381-MR	WASHINGTON

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ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006:

ORDER AFFIRMING:

ROSS (KENNETH URIAH) 2006-CA-1326-MR MORGAN

VS.

MOTLEY (JOHN), WARDEN

ENTERED: 08/10/06

ORDERS DENYING MOTION FOR BELATED APPEAL:

SCHUHOLZ (ALBERT) 2006-CA-0768-MR GRANT

VS.

MOREQUITY, INC., ET AL.

ENTERED: 08/11/06

PRICE (BRIAN) 2006-CA-0797-MR KENTON

VS.

LABER (STEPHEN) ENTERED: 08/10/06

CLINE (GEORGE ROBERT) 2006-CA-0929-MR DAVIESS

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 08/11/06

ORDER DENYING MOTION FOR DISCRETIONARY REVIEW:

GERSTLE (THERESA M.) 2006-CA-1327-D JEFFERSON

VS.

FISHER (ROGER D.) ENTERED: 08/11/06

ORDER DENYING MOTION TO RECONSIDER:

ODOM (JAMES) 2005-CA-2166-MR MUHLENBEG

VS.

RAFI, JR. (RIAZLINO M.), ET AL.

ENTERED: 08/11/06

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2005-CA-1292-MR

FAYETTE

#### ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED:)

### ORDERS DENYING PETITION FOR REHEARING:

DURBIN (GARY R.)

VS.

BANK OF THE BLUEGRASS AND TRUST

COMPANY

ENTERED: 08/09/06

COMMONWEALTH OF KENTUCKY 2005-CA-1315-DG MARION

VS.

SPALDING (GABRIEL) ENTERED: 08/11/06

#### ORDERS DENYING PETITION FOR WRIT OF PROHIBITION:

MARTIN COUNTY COAL CORPORATION, ET 2006-CA-0978-OA IN COURT OF AL.

VS.

HON. DANIEL R. SPARKS, JUDGE

MARTIN CIRCUIT COURT, ET AL.

ENTERED: 08/10/06

ROGERS (WENDELL) 2006-CA-1057-OA IN COURT OF

VS. APPEALS

HON. CHARLES C. SIMMS, III, JUDGE

NELSON CIRCUIT COURT, ET AL.

ENTERED: 08/10/06

BOWERSMITH (GLEN LEE) 2006-CA-1168-OA IN COURT OF

VS. APPEALS

HON. JANET COLEMAN, JUDGE

HARDIN CIRCUIT COURT, ET AL.

ENTERED: 08/11/06

#### ORDER DENYING PETITION FOR WRIT OF PROHIBITION AND MANDAMUS:

ELLIS (JAMES A.), ET AL. 2006-CA-0969-OA IN COURT OF APPEALS

HON. DAVID CAUDILL, SPECIAL JUDGE

PIKE CIRCUIT COURT, ET AL.

ENTERED: 08/10/06

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ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED):				
ORDERS DISMISSING:				
HENDERSON (GERALD), ET AL. VS. MACNAB (ROBERT), ET AL. ENTERED: 08/10/06	2005-CA-0731-MR	TRIGG		
BRIGGS (BRUCE) VS. KENTUCKY RETIREMENT SYSTEMS ENTERED: 08/10/06	2005-CA-1012-MR	FRANKLIN		
DAILEY (GORDON DON) VS. FOODSALES, INC., ET AL. ENTERED: 08/10/06	2005-CA-1729-MR	JEFFERSON		
CARTER (JASON CLAY) VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/11/06	2005-CA-1924-MR	ANDERSON		
GRIFFIN (MICHAEL) VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/10/06	2005-CA-1981-MR	MCCRACKEN		
VIOLETT (DONALD RAY) VS. SEXTON (TERESA), ET AL. ENTERED: 08/10/06	2005-CA-1987-MR 2005-CA-2582-MR	WARREN		
CAMPBELL (EDGAR) VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/10/06	2005-CA-2092-MR	PERRY		
CONOVER (EARL) VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/11/06	2005-CA-2105-MR	TAYLOR		
RANKIN (VIVIAN LOUISE) VS.	2005-CA-2283-MR	BOURBON		

RANKIN (BOBBY) ENTERED: 08/11/06

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### ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED):

### ORDERS DISMISSING (CONTINUED):

NATIONAL CITY MORTGAGE CO. VS. LUNSFORD (JEFFREY ALLEN), ET AL. ENTERED: 08/10/06	2005-CA-2354-MR	CLAY
BELLAVIA (CHRISTINE) VS. VENTURE RIVER WATER PARK, INC. ENTERED: 08/11/06	2005-CA-2358-MR	LYON
BLOCK (BERNARD F.) VS. BLOCK (CHRISTINE A.) ENTERED: 08/11/06	2005-CA-2381-MR	JEFFERSON
WEST AMERICAN INSURANCE CO. VS. MCLAUGHLIN (DONALD N.), ET AL. ENTERED: 08/11/06	2006-CA-0067-MR	JEFFERSON
FIELDS, SR., (ERIC L.) ET AL. VS. SUTTON, JR. (MORRIS G.), ET AL. ENTERED: 08/11/06	2006-CA-0152-MR	JEFFERSON
HOPPER (DANNY) VS. COMMONWEALTH OF KENTUCKY ENTERED: 08/10/06	2006-CA-0279-MR	BELL
WALKER (HAROLD B.) VS. VINCENT (JERRY), ET AL. ENTERED: 08/10/06	2006-CA-0293-MR	EDMONSON
ADAMS (KELLY), NOW GASTON VS. ADAMS (HAROLD C.) ENTERED: 08/10/06	2006-CA-0378-MR	JEFFERSON

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### ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED):

ORDERS DISMISSING (CONTINUED):		
KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY VS. RIDDLE (MELISSA G.) ENTERED: 08/10/06	2006-CA-0410-MR	OWEN
CRUM (WOODROW) VS. CRUM (ALLENE) ENTERED: 08/10/06	2006-CA-0451-MR	FLOYD
THOMAS (SABRINA LYNN), ET AL. VS. THOMAS (MICHAEL WILSON) ENTERED: 08/11/06	2006-CA-0463-MR	LEWIS
WURTSMITH (PAUL BERNARD) VS. WURTSMITH (LAURA GAY) ENTERED: 08/09/06	2006-CA-0500-MR	BULLITT
DOWELL (STEVEN R.) VS. LUXEMBERG (SUSAN C.) ENTERED: 08/10/06	2006-CA-0576-MR	OHIO
BLEVINS (THOMAS EARL) VS. BLEVINS (MARGARET RENEE) ENTERED: 08/10/06	2005-CA-0606-MR	JEFFERSON
WEST (LAURI) VS. WEST (DONNA), ET AL. ENTERED: 08/10/06	2006-CA-0636-MR	ESTILL

MBNA AMERICA

HUDSON (JOHN) ENTERED: 08/11/06

VS.

2006-CA-0726-MR

2006-CA-0720-MR

GREEN

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### ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED):

ORDERS DISMISSING (CONTINUED):		
BROWNING (TERRY E.)	2006-CA-0858-MR	GREENUP
VS. BROWNING (JAMIE LYNETTE) ENTERED: 08/10/06		
PIKE (ALAN)	2006-CA-0865-MR	HARDIN
VS. PORTILLO (ANITA) ENTERED: 08/11/06		
MELTON (MARTIN L.) VS.	2006-CA-0868-MR	HART
MELTON/ATWELL (DONNA A.) ENTERED: 08/11/06		
KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY VS.	2006-CA-0902-MR	MARSHALL
COURSEY (LARRY), ET AL. ENTERED: 08/10/06		
LUTTRELL (KAREN), ET AL. VS.	2006-CA-1063-MR	CAMPBELL
KING (BRENDA), ET AL. ENTERED: 08/10/06		
WITHROW (THEODORE F.), ET AL. VS.	2006-CA-1064-MR	ROWAN
MOORE (GARY), ET AL. ENTERED: 08/10/06		
HOWARD (BYRON) VS.	2006-CA-1098-MR	WHITLEY
HOWARD (RUTH GOLDEN) ENTERED: 08/10/06		
KEGLER (JERMAINE J.) VS.	2006-CA-1171-MR	FRANKLIN

THE JUSTICE AND PUBLIC SAFETY

CABINET

ENTERED: 08/11/06

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### ORDERS FROM PREVIOUS WEEK ENDING AUGUST 11, 2006 (CONTINUED):

#### ORDERS DISMISSING (CONTINUED):

DEW (DANNY) 2006-CA-1174-MR TODD

VS.

WILLIAMS (THOMAS) ENTERED: 08/10/06

MONTGOMERY (LARRY CLAYTON) 2006-CA-1184-MR OWSLEY

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 08/11/06

MALONE (SHAWN) 2006-CA-1189-MR LAUREL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 08/11/06

WISEMAN (RICHARD) 2006-CA-1249-ME JEFFERSON

VS.

WISEMAN (JESSICA) ENTERED: 08/10/06

SUTHERLAND (LARRY), ET AL. 2006-CA-1273-MR ANDERSON

VS.

HARRODSBURG FIRST FINANCIAL

BANCORP, INC., ET AL.

ENTERED: 08/10/06