COURT OF APPEALS OF KENTUCKY 09/23/2005 AT 2:00 P.M. PAGE 1 OF 9			
1040	SIMPSON (CORNELIUS) VS. MANALAPAN MINING COMPANY, ET AL. OPINION VACATING AND REMANDING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-0077-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
1041	MARTINEZ (JOE) VS. PEABODY COAL COMPANY, ET AL. OPINION VACATING AND REMANDING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-0140-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
1042	MCBRIDE (JASON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND JOHNSON (CONCURS)	2004-CA-0187-MR NOT TO BE PUBLISHED	BUTLER
1043	FULKERSON (CARL TIMOTHY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) HENRY (CONCURS) AND MINTON (CONCURS)	2004-CA-0228-MR NOT TO BE PUBLISHED	MCLEAN
1044	WILLIAMS (DENNIS) VS. MANALAPAN MINING COMPANY, ET AL. OPINION VACATING AND REMANDING COMBS (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND TACKETT (CONCURS)	2004-CA-0334-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
1045	UPPAL, M.D. (UZMA) VS. GATEWAY REGIONAL HEALTH SYSTEM, INC. OPINION AFFIRMING IN PART AND VACATING AND REMANDING IN PART MCANULTY (PRESIDING JUDGE) TAYLOR (CONCURS) AND EMBERTON (CONCURS)	2004-CA-0393-MR NOT TO BE PUBLISHED	MONTGOMERY

COURT OF APPEALS OF KENTUCKY 09/23/2005 AT 2:00 P.M. PAGE 2 OF 9			
1046	FULTZ (JAMES BRYAN) VS. MANALAPAN MINING, ET AL. OPINION VACATING AND REMANDING MCANULTY (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-0624-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
1047	K.H. AND R.H. VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) KNOPF (CONCURS) AND MINTON (CONCURS)	2004-CA-1099-ME 2004-CA-1789-ME NOT TO BE PUBLISHED	FLOYD
1048	MIRACLE (GLORIA D.), ET AL. VS. KENTUCKY FARM BUREAU, ET AL. OPINION AFFIRMING KNOPF (PRESIDING JUDGE) TACKETT (CONCURS) AND ROSENBLUM (CONCURS)	2004-CA-1121-MR NOT TO BE PUBLISHED	BULLITT
1049	EADS (AARON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING COMBS (PRESIDING JUDGE) JOHNSON (CONCURS) AND MCANULTY (CONCURS)	2004-CA-1157-MR NOT TO BE PUBLISHED	LAUREL
1050	MARKS (DEBRA OFFUTT) VS. MARKS, JR (WILLIAM MORRIS) OPINION AFFIRMING JOHNSON (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND EMBERTON (CONCURS)	2004-CA-1209-MR NOT TO BE PUBLISHED	HOPKINS
1051	MARAMAN & SONS EXCAVATING, INC. VS. MAHONEY (JANETTE A.) OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING ROSENBLUM (PRESIDING JUDGE) KNOPF (CONCURS) AND TACKETT (CONCURS)	2004-CA-1262-MR NOT TO BE PUBLISHED	BULLITT

COURT OF APPEALS OF KENTUCKY 09/23/2005 AT 2:00 P.M. PAGE 3 OF 9			
1052	POOLE (SONNY T.) VS. DOLLAR GENERAL CORPORATION, ET AL. OPINION REVERSING AND REMANDING MILLER (PRESIDING JUDGE) HENRY (CONCURS) AND VANMETER (CONCURS)	2004-CA-1334-MR NOT TO BE PUBLISHED	MCLEAN
1053	COLLINS (BRANDON) VS. BLEVINS (TANGENA MARIE) OPINION AFFIRMING EMBERTON (PRESIDING JUDGE) MINTON (CONCURS) AND SCHRODER (CONCURS)	2004-CA-1341-ME 2004-CA-1474-ME NOT TO BE PUBLISHED	MARTIN
1054	SHEARER (MIGUEL DWYNE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND JOHNSON (CONCURS)	2004-CA-1417-MR NOT TO BE PUBLISHED	FAYETTE
1055	HUDSON (LEBBY C.), ET AL. VS. OLD NATIONAL TRUST, ET AL. OPINION REVERSING AND REMANDING MCANULTY (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND JOHNSON (CONCURS)	2004-CA-1468-MR TO BE PUBLISHED	UNION
1056	POPIELSKI (CARRIE), ET AL. VS. CITY OF BELLEVUE, ET AL. OPINION AFFIRMING TACKETT (PRESIDING JUDGE) HENRY (CONCURS) AND VANMETER (CONCURS)	2004-CA-1672-MR NOT TO BE PUBLISHED	CAMPBELL
1057	DAUGHERTY (DALE RODGER) VS. DAUGHERTY (JEAN) OPINION AND ORDER VACATING AND REMANDING MINTON (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND ROSENBLUM (CONCURS)	2004-CA-1694-MR NOT TO BE PUBLISHED	JEFFERSON

COURT OF APPEALS OF KENTUCKY 09/23/2005 AT 2:00 P.M. PAGE 4 OF 9			
1058	BURNICE (ALBERT) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KNOPF (PRESIDING JUDGE) DYCHE (CONCURS) AND TACKETT (CONCURS)	2004-CA-1732-MR NOT TO BE PUBLISHED	JEFFERSON
1059	CORNETT (RONNIE GAY) VS. CORNETT (KATHLEEN KAY) OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-1785-MR NOT TO BE PUBLISHED	BOYLE
1060	BLACK (KEVIN R.) VS. ROACH (EVAN K.), ET AL. OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) HENRY (CONCURS) AND MINTON (CONCURS)	2004-CA-1998-MR NOT TO BE PUBLISHED	JEFFERSON
1061	CITY OF MONTICELLO VS. LAHAYE (NANCY) OPINION AFFIRMING MINTON (PRESIDING JUDGE) SCHRODER (CONCURS) AND EMBERTON (CONCURS)	2004-CA-2050-MR NOT TO BE PUBLISHED	WAYNE
1062	PLUMB, JR. (BRUCE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KNOPF (PRESIDING JUDGE) DYCHE (CONCURS) AND TACKETT (CONCURS)	2004-CA-2115-MR NOT TO BE PUBLISHED	FAYETTE
1063	ADAMS (ARNOLD) VS. NHC HEALTHCARE, ET AL. OPINION AFFIRMING CASE NUMBER 2004-CA-2177-WC AND OPINION REVERSING CASE NUMBER 2004-CA-2387-WC. JOHNSON (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND EMBERTON (CONCURS)	2004-CA-2177-WC 2004-CA-2387-WC TO BE PUBLISHED	WORKERS COMPENSATION BOARD

COURT OF APPEALS OF KENTUCKY 09/23/2005 AT 2:00 P.M. PAGE 5 OF 9			
1064	HIGHTOWER (JAMES DALE) VS. COMMONWEALTH OF KENTUCKY OPINION AND ORDER AFFIRMING CASE NUMBER 2004-CA-2539-MR AND OPINION AND ORDER DISMISSING CASE NUMBER 2004-CA-2543-MR. KNOPF (PRESIDING JUDGE) DYCHE (CONCURS) AND TACKETT (CONCURS)	2004-CA-2539-MR 2004-CA-2543-MR NOT TO BE PUBLISHED	MCCRACKEN
1065	BUTLER'S FLEET SERVICE VS. MARTIN (EARL), ET AL. OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) DYCHE (CONCURS) AND SCHRODER (DISSENTS)	2004-CA-2587-WC TO BE PUBLISHED	WORKERS COMPENSATION BOARD

ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW:

W.D.B. (A CHILD UNDER EIGHTEEN) 2005-CA-1215-DG HENDERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/21/05

COMMONWEALTH OF KENTUCKY 2005-CA-1315-DG MARION

VS.

SPALDING (GABRIEL F.)

ENTERED: 9/21/05

ORDER DENYING MOTION TO RECONSIDER:

MANNING (CLAYTON G.) 2004-CA-2076-MR **JEFFERSON**

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/19/05

ORDERS DENYING PETITION FOR WRIT OF PROHIBITON:

DRESSMAN (DAVID) 2005-CA-0966-OA IN COURT OF APPEALS

VS.

HON. REBECCA OVERSTREET, JUDGE SCOTT CIRCUIT COURT, ET AL.

ENTERED: 9/19/05

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION (CONTINUED):

09/23/2005 AT 2:00 P.M. PAGE 6 OF 9

HOLLAND (SHAWN), ET AL.

VS.

2005-CA-1606-OA

IN COURT OF

APPEALS

HON. JOHN R. GRISE, JUDGE WARREN CIRCUIT COURT, ET AL.

ENTERED: 9/21/05

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

BEDNARSKI (ROBERT MICHAEL)

2005-CA-1576-OA

IN COURT OF

APPEALS

VS.

HON. THOMAS O. CASTLEN, JUDGE DAVIESS CIRCUIT COURT, ET AL.

ENTERED: 9/19/05

ORDER DENYING MOTION FOR A BELATED APPEAL:

SCHOLL (ROBERT)

2005-CA-0296-MR CAMPBELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/21/05

ORDER DENYING PETITION FOR REHEARING:

NORDIKE (BONNIE JEAN), (NOW

2004-CA-2242-MR

WARREN

HOLCOMB)

VS.

NORDIKE (MICHAEL D.)

ENTERED: 9/19/05

ORDER MODIFYING OPINION RENDERED JULY 15, 2005. THE ATTACHED OPINION IS SUBSTITUTED IN ITS ENTIRETY:

HOLLOWAY (DOTTIE)

2003-CA-2275-MR

MCCRACKEN

VS.

ALEXANDER (ROBERT) ENTERED: 9/23/05

09/23/2005 AT 2:00 P.M. PAGE 7 OF 9

CORRECTION MADE TO MINUTES OF SEPTEMBER 16, 2005: CASE NUMBER 2005-CA-1499-MR IS NOT DISMISSED.

ORDER DISMISSING:

THERMOVIEW INDUSTRIES, INC. 2005-CA-1237-MR JEFFERSON

VS.

CLEMMENS (NELSON E.) ENTERED: 9/14/05

ORDERS DISMISSING:

GRUNDY (ALLAN D.) 2004-CA-2186-MR JEFFERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/21/05

MCINVER (ANSAR) 2005-CA-1415-MR FAYETTE

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/19/05

LICATO (PAULA) 2005-CA-1486-MR SCOTT

VS.

LICATO (JOSEPH PAUL) ENTERED: 9/21/05

ORDERS FROM PREVIOUS WEEK ENDING SEPTEMBER 16, 2005: ORDER GRANTING PETITION FOR WRIT OF PROHIBITION:

KENTUCKY TRANSPORTATION CABINET, 2005-CA-1804-OA IN COURT OF ET AL.

VS.

HON. WILLIAM L. GRAHAM, JUDGE FRANKLIN CIRCUIT COURT, ET AL.

ENTERED: 9/15/05

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION:

HILL (NATHAN HERBERT) 2005-CA-0528-OA IN COURT OF APPEALS

HON. PATRICIA SUMME, JUDGE KENTON CIRCUIT COURT, ET AL.

ENTERED: 9/15/05

09/23/2005 AT 2:00 P.M. PAGE 8 OF 9

ORDERS DENYING PETITION FOR WRIT OF PROHIBITION (CONTINUED):

GALLIEN (WRENDA B.)

2005-CA-1148-OA

IN COURT OF APPEALS

VS.

HON. F. KENNETH CONLIFFE, JUDGE JEFFERSON CIRCUIT COURT, ET AL.

ENTERED: 9/15/05

ORDERS AFFIRMING:

WARD (DOUGLAS)

2005-CA-1399-MR

LEE

VS.

STOVAL, (RANDY) WARDEN

ENTERED: 9/15/05

HARRISON (GARY EDWARD) 2005-CA-1628-MR

MORGAN

VS.

MOTLEY (JOHN), WARDEN

ENTERED: 9/15/05

ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:

FRIEDRICH (BRUCE) 2004-CA-2497-DR JEFFERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

MISHEFF (JAMES) 2005-CA-0867-DR ANDERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

S.E. (A CHILD UNDER EIGHTEEN) 2005-CA-1248-DR LAUREL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

HIGDON (DANIEL) 2005-CA-1398-DR MARION

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

BLACK (THOMAS BRYAN) 2005-CA-1462-DR HARDIN

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW (CONTINUED):

09/23/2005 AT 2:00 P.M. PAGE 9 OF 9

S.H. 2005-CA-1474-DR MARION

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/16/05

KERRI POOLE 2005-CA-1488-DR CARROLL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

ORDER DENYING MOTION TO RECONSIDER:

PRICE, SR. (LANDON NIQUEL) 2004-CA-1007-MR FAYETTE

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05

ORDERS DISMISSING:

KIRBY (EARL B.) 2005-CA-1178-OA IN COURT OF

VS. APPEALS

HON. WILLIAM T. JENNINGS, JUDGE MADISON CIRCUIT COURT, ET AL.

ENTERED: 9/15/05

TURNER (RONNIE) 2005-CA-1467-MR HENDERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 9/15/05