COURT OF APPEALS OF KENTUCKY  11/18/2005 AT 2:00 P.M.  PAGE 1 OF 9					
1225	COOK (OMER) VS. CHRISTOPHER FAMILY, LLC, ET AL. OPINION AFFIRMING IN PART AND REMANDING IN PART VANMETER (PRESIDING JUDGE) TACKETT (CONCURS) AND MILLER (CONCURS)	2003-CA-1116-MR 2003-CA-1180-MR NOT TO BE PUBLISHED	MARION		
1226	WEISENTHAL (GARY) VS. CITY OF STRATHMOOR MANOR OPINION AFFIRMING TACKETT (PRESIDING JUDGE) KNOPF (CONCURS) AND ROSENBLUM (CONCURS)	2003-CA-2154-MR NOT TO BE PUBLISHED	JEFFERSON		
1227	STEWART, PH.D (MICHAEL) VS. FAST FORWARD VIDEO, INC. OPINION AFFIRMING PAISLEY (PRESIDING JUDGE) DYCHE (CONCURS) AND GUIDUGLI (CONCURS)	2003-CA-2451-MR NOT TO BE PUBLISHED	GARRARD		
1228	BROZOWSKI (ROBERT), ET AL. VS. JOHNSON, M.D. (CARL M.), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) HENRY (CONCURS) AND MILLER (DISSENTS)	2004-CA-0256-MR TO BE PUBLISHED	MCCRACKEN		
1229	MAGGARD (ELMER C.) VS. COMMONWEALTH OF KENTUCKY, BOARD OF EXAMINERS OF PSYCHOLOGY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) HENRY (CONCURS) AND TACKETT (CONCURS)	2004-CA-0363-MR TO BE PUBLISHED	FRANKLIN		
1230	DONAHOO (NATHON C.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) MINTON (CONCURS) AND SCHRODER (DISSENTS WITHOUT SEPARATE OPINION)	2004-CA-0957-MR NOT TO BE PUBLISHED	MCLEAN		

COURT OF APPEALS OF KENTUCKY 11/18/2005 AT 2:00 P.M. PAGE 2 OF 9					
1231	FULMER (ELLA) VS. MEADE (JIMMY), ET AL. OPINION AFFIRMING MINTON (PRESIDING JUDGE) SCHRODER (CONCURS) AND EMBERTON (CONCURS)	2004-CA-1067-MR 2004-CA-1072-MR NOT TO BE PUBLISHED	PIKE		
1232	CHILDERS (DANNY) VS. CHILDERS (JAMES), ET AL. OPINION AFFIRMING COMBS (PRESIDING JUDGE) JOHNSON (CONCURS) AND MCANULTY (CONCURS)	2004-CA-1333-MR NOT TO BE PUBLISHED	PIKE		
1233	DUFFY (JUNIS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HENRY (PRESIDING JUDGE) TACKETT (CONCURS) AND VANMETER (CONCURS)	2004-CA-1422-MR NOT TO BE PUBLISHED	MCCRACKEN		
1234	UNIVERSITY OF LOUISVILLE VS. RAM ENGINEERING & CONSTRUCTION, INC., ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-1752-MR TO BE PUBLISHED	FRANKLIN		
1235	CRAIG AND BISHOP, INC. VS. PILES (CHRISTY), ET AL. OPINION AFFIRMING IN PART AND VACATING IN PART ROSENBLUM (PRESIDING JUDGE) KNOPF (CONCURS) AND TACKETT (CONCURS)	2004-CA-1883-MR NOT TO BE PUBLISHED	JEFFERSON		
1236	PADGETT (NOW HATFIELD) (AMY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HENRY (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS)	2004-CA-1943-MR NOT TO BE PUBLISHED	MEADE		

COURT OF APPEALS OF KENTUCKY 11/18/2005 AT 2:00 P.M. PAGE 3 OF 9					
1237	RICHARDSON (COREY JOHN) VS. NICHOLS (CHRISTINA LYNN) OPINION AND ORDER DISMISSING TAYLOR (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-2071-MR NOT TO BE PUBLISHED	JEFFERSON		
1238	PALMER (WALTER ALAN) VS. CSX TRANSPORTATION, INC. OPINION AFFIRMING BARBER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-2185-MR NOT TO BE PUBLISHED	JEFFERSON		
1239	EVANS (RUSSELL M.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING PAISLEY (PRESIDING JUDGE) DYCHE (CONCURS) AND GUIDUGLI (CONCURS)	2004-CA-2449-MR NOT TO BE PUBLISHED	FAYETTE		
1240	KIRBY (CHARLES M.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TACKETT (PRESIDING JUDGE) DYCHE (CONCURS) AND KNOPF (CONCURS)	2004-CA-2532-MR NOT TO BE PUBLISHED	HARLAN		
1241	ELLENBERGER (CHAD) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING SCHRODER (PRESIDING JUDGE) DYCHE (DISSENTS WITHOUT SEPARATE OPINION) AND ROSENBLUM (CONCURS)	2004-CA-2581-MR NOT TO BE PUBLISHED	MARSHALL		
1242	CAHILL (CHARLES T.), ET AL. VS. CITY OF ELIZABETHTOWN OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) DYCHE (DISSENTS WITHOUT SEPARATE OPINION) AND ROSENBLUM (CONCURS)	2005-CA-0023-MR NOT TO BE PUBLISHED	HARDIN		

COURT OF APPEALS OF KENTUCKY  11/18/2005 AT 2:00 P.M.  PAGE 4 OF 9					
1243	SCHERDIN (STEVEN M.) VS. SCHERDIN (JOYCE D.) OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2005-CA-0328-ME NOT TO BE PUBLISHED	JEFFERSON		
1244	OGOLEY (ANNIE) VS. KROGER, ET AL. OPINION AFFIRMING TACKETT (PRESIDING JUDGE) KNOPF (CONCURS AND FILES SEPARATE OPINION) AND ROSENBLUM (CONCURS)	2005-CA-0652-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD		
1245	DOLPHIN POOLS VS. MEADOWS (MARK), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) MINTON (CONCURS) AND SCHRODER (CONCURS)	2005-CA-0868-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD		
1246	WHITEHALL FURNITURE VS. WILKINS (MARY), ET AL. OPINION AFFIRMING BARBER (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND JOHNSON (CONCURS)	2005-CA-0953-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD		
1247	BROOKLAWN YOUTH SERVICES VS. HANEBERG (MELISSA), ET AL. OPINION AFFIRMING BARBER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2005-CA-1025-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD		

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ORDER AFFIRMING:

DAILEY (RONALD) 2005-CA-2076-MR MORGAN

VS.

MOTLEY (JOHN), WARDEN

ENTERED: 11/14/05

ORDER GRANTING PETITION FOR WRIT OF MANDAMUS:

FINLEY, JR. (ARDETH C.) 2005-CA-0806-OA IN COURT OF

VS. APPEALS

HON. STANLEY BILLINGSLEY, JUDGE

BOONE CIRCUIT COURT, ET AL.

ENTERED: 11/15/05

ORDERS DISMISSING:

FORT (JANICE) 2003-CA-2571-MR JEFFERSON

VS.

DAVENCORP MANAGEMENT COMPANY,

D/B/A "MCDONALDS" #8165

ENTERED: 11/15/05

SILVERBURG (JOSEPH L.) 2005-CA-0826-MR FRANKLIN

VS.

GOV. ERNIE FLETCHER, KENTUCKY, ET

ΔT.

ENTERED: 11/14/05

PRICE, SR. (DANIEL S.) 2005-CA-0842-MR JEFFERSON

VS.

AMERICAN BANKERS LIFE ASSURANCE

COMPANY OF FLORIDA ENTERED: 11/15/05

CINCINNATI INSURANCE COMPANY 2005-CA-1141-MR MONTGOMERY

VS

KPC ARCHITECTURAL PRODUCTS, INC.

ENTERED: 11/15/05

STALLINGS (CAROL JOYCE) 2005-1152-MR BULLITT

VS.

STALLINGS (JAMES ROBERT)

ENTERED: 11/15/05

11/18/2005 AT 2:00 P.M. PAGE 6 OF 9

ORDERS DISMISSING (CONTINUED):

MORGAN (PAMELA GAY) 2005-CA-1491-MR LINCOLN

VS.

MORGAN (JAMES EDWARD)

ENTERED: 11/15/05

JOHNSON (PATRICK) 2005-CA-1636-MR DAVIESS

VS.

ELLIOTT (MICHAEL)

ENTERED: 11/14/05

RENAISSANCE RUN, LLC., ET AL. 2005-CA-1656-MR JESSAMINE

VS.

JESSAMINE COUNTY FISCAL COURT, ET

AL.

ENTERED: 11/14/05

YORK (PHILLIP WAYNE) 2005-CA-2006-MR RUSSELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/14/05

## ORDERS FROM PREVIOUS WEEK ENDING NOVEMBER 10, 2005:

ORDERS AFFIRMING:

MORRIS (CLIFFORD) 2005-CA-1908-MR MUHLENBERG

VS.

WEBB (PATTI), WARDEN

ENTERED: 11/09/05

STANLEY (FRED RICE) 2005-CA-1339-MR MUHLENBERG

VS.

GREEN RIVER CORRECTIONAL COMPLEX

ENTERED: 11/09/05

EBERENZ (JOSEPH G.) 2005-CA-1948-MR LYON

VS.

HAEBELIN (GLENN E.), WARDEN

ENTERED: 11/09/05

THOMAS (FLAMINTO KENYARDNA) 2005-CA-2043-MR LYON

VS.

HAEBERLIN (GLENN), WARDEN

ENTERED: 11/10/05

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## ORDERS FROM PREVIOUS WEEK ENDING NOVEMBER 10, 2005 (CONTINUED):

# ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:

HOLLAN (NICHOLAS WESLEY) 2005-CA-1813-DR CAMPBELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/10/05

CLORE (MARY JO) 2005-CA-2093-DR FAYETTE

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/10/05

## ORDER DENYING AS MOOT PETITION FOR WRIT OF PROHIBITION:

SELF (EDWARD) 2005-CA-1939-OA IN COURT OF

VS. APPEALS

HON. JAMES SHAKE, JUDGE

JEFFERSON CIRCUIT COURT, ET AL.

ENTERED: 11/09/05

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

COFFEY (THOMAS J.) 2005-CA-2015-OA IN COURT OF

VS. APPEALS

HON. PAULA SHERLOCK, JUDGE

JEFFERSON CIRCUIT COURT, ET AL.

ENTERED: 11/08/05

## ORDER DENYING MOTION FOR BELATED APPEAL:

MCDANIEL (WILLIAM) 2005-CA-1997-MR WOODFORD

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

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## ORDERS FROM PREVIOUS WEEK ENDING NOVEMBER 10, 2005 (CONTINUED):

#### ORDER DENYING PETITION FOR REHEARING:

GARNER (LYNN M.), NOW ROBBINS 2005-CA-0167-ME CAMPBELL

VS.

GARNER (DAVID M.), ET AL.

ENTERED: 11/09/05

ORDERS DISMISSING:

HAMILTON (ERIK) 2005-CA-0008-MR JEFFERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

HUFF (MAXIE MATTHEW) 2005-CA-1340-MR MONROE

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

WHEATLEY (DAVID), ET AL. 2005-CA-1349-MR NELSON

VS.

THE JOINT CITY-COUNTY PLANNING

COMMISSION OF NELSON COUNTY,

KENTUCKY

ENTERED: 11/09/05

WILDER (GARY) 2005-CA-1397-MR BELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

WETHINGTON (BENNETT M.) 2005-CA-1433-MR JEFFERSON

2005-CA-1484-MR

VS.

WETHINGTON (BRENDA KAY)

ENTERED: 11/09/05

VERA-MARTINEZ (JESUS) 2005-CA-1630-MR FULTON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

NEWCOMB (RODNEY) 2005-CA-1633-MR LYON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 11/09/05

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# ORDERS FROM PREVIOUS WEEK ENDING NOVEMBER 10, 2005 (CONTINUED):

## ORDERS DISMISSING (CONTINUED):

COMMONWEALTH OF KENTUCKY

2005-CA-1667-MR KENTON

VS.

BRUCKER (DAVID CARL) ENTERED: 11/09/05