

COURT OF APPEALS OF KENTUCKY

11/30/2007 AT 10:00 A.M.

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1369	STROHSCHHEIN (KIRSTINA SHEPHERD), ET AL. VS. CRAGER (MICHAEL), ET AL. OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) VANMETER (CONCURS) AND GUIDUGLI (CONCURS)	2005-CA-0687-MR 2005-CA-0820-MR TO BE PUBLISHED	FLOYD
1370	RAMEY (GLORIA JEAN) VS. RAMEY (JAMES ALLEN) OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DIXON (CONCURS) AND WINE (CONCURS)	2005-CA-1297-MR NOT TO BE PUBLISHED	LAWRENCE
1371	HORSLEY (LESIA LYNN), ET AL. VS. HORSLEY (PAUL EDWARD) OPINION VACATING IN PART AND REVERSING AND REMANDING IN PART GUIDUGLI (PRESIDING JUDGE) COMBS (CONCURS) AND HOWARD (CONCURS)	2005-CA-1604-MR 2005-CA-2253-MR 2005-CA-2298-MR 2005-CA-2460-MR NOT TO BE PUBLISHED	GREENUP
1372	COYLE, III (ERNEST MAC) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) THOMPSON (CONCURS) AND VANMETER (CONCURS)	2005-CA-1812-MR NOT TO BE PUBLISHED	OHIO
1373	HALLIS (VAUGHN W.) VS. HALLIS (CATHLEEN W.) OPINION AFFIRMING DIXON (PRESIDING JUDGE) LAMBERT (CONCURS) AND ROSENBLUM (CONCURS)	2005-CA-2343-MR 2006-CA-1421-MR NOT TO BE PUBLISHED	FAYETTE
1374	WRIGHT (BALLARD), ET AL. VS. GENERAL ELECTRIC COMPANY OPINION AFFIRMING ROSENBLUM (PRESIDING JUDGE) ACREE (CONCURS) AND THOMPSON (CONCURS)	2006-CA-0080-MR TO BE PUBLISHED	GREENUP

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1375	BALLARD WRIGHT; FAYE WRIGHT VS. PNEUMO ABEX, LLC OPINION AFFIRMING ROSENBLUM (PRESIDING JUDGE) ACREE (CONCURS) AND THOMPSON (CONCURS)	2006-CA-0081-MR NOT TO BE PUBLISHED	GREENUP
1376	BALLARD WRIGHT; FAYE WRIGHT VS. GARLOCK SEALING TECHNOLOGIES ROSENBLUM (PRESIDING JUDGE) ACREE (CONCURS) AND THOMPSON (CONCURS)	2006-CA-0206-MR NOT TO BE PUBLISHED	GREENUP
1377	PRICE (MARK ANTHONY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HOWARD (PRESIDING JUDGE) STUMBO (CONCURS) AND BUCKINGHAM (CONCURS)	2006-CA-0652-MR NOT TO BE PUBLISHED	CAMPBELL
1378	COLLINS (BILLY RAY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DIXON (PRESIDING JUDGE) VANMETER (CONCURS) AND WINE (CONCURS)	2006-CA-0840-MR TO BE PUBLISHED	LETCHER
1379	SMITH (AUDREY LEE) VS. VEST, SR (JAMES W.) OPINION REVERSING AND REMANDING ACREE (PRESIDING JUDGE) KELLER (CONCURS) AND LAMBERT (DISSENTS)	2006-CA-0864-MR TO BE PUBLISHED	SHELBY
1380	STEWART (JEFFREY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) STUMBO (CONCURS) AND KELLER (CONCURS IN RESULT ONLY AND FILES SEPARATE OPINION)	2006-CA-1076-MR NOT TO BE PUBLISHED	PIKE

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1381	MATTHEWS (FREDA) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) KELLER (CONCURS) AND KNOPF (CONCURS)	2006-CA-1169-MR NOT TO BE PUBLISHED	FRANKLIN
1382	WADE (ANTHONY P.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) KELLER (CONCURS) AND STUMBO (CONCURS)	2006-CA-1195-MR NOT TO BE PUBLISHED	JEFFERSON
1383	CRAWFORD (LORETTA) VS. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT OPINION AFFIRMING KELLER (PRESIDING JUDGE) NICKELL (CONCURS) AND KNOPF (CONCURS)	2006-CA-1237-MR NOT TO BE PUBLISHED	FAYETTE
1384	LADD (ROBERT E.) VS. LADD (PATRICIA DAY) OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) STUMBO (CONCURS) AND WINE (CONCURS)	2006-CA-1246-MR 2006-CA-1315-MR NOT TO BE PUBLISHED	CHRISTIAN
1385	AKERS (EDWARD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) ROSENBLUM (CONCURS IN RESULT ONLY) AND ACREE (CONCURS AND FILES SEPARATE OPINION)	2006-CA-1316-MR NOT TO BE PUBLISHED	PIKE
1386	PORTER (RONALD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING ROSENBLUM (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-1473-MR NOT TO BE PUBLISHED	GREENUP

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1387	PATTERSON (TOMMIE LEE) VS. TOMMY BLAIR, INC. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) ACREE (CONCURS) AND ROSENBLUM (CONCURS)	2006-CA-1587-MR TO BE PUBLISHED	MCCRACKEN
1388	MCMAHAN, SR (BRENT V.) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING DIXON (PRESIDING JUDGE) ROSENBLUM (CONCURS) AND LAMBERT (CONCURS)	2006-CA-1602-MR TO BE PUBLISHED	CARROLL
1389	MCCLAIN (GARRY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) ACREE (CONCURS) AND GUIDUGLI (CONCURS)	2006-CA-2016-MR NOT TO BE PUBLISHED	SPENCER
1390	JOHNSON (CONNIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MOORE (PRESIDING JUDGE) STUMBO (CONCURS) AND ROSENBLUM (CONCURS)	2006-CA-2112-MR NOT TO BE PUBLISHED	MARSHALL
1391	BUCKLEY (JOANNE) VS. THE KROGER CO. OPINION VACATING AND REMANDING GUIDUGLI (PRESIDING JUDGE) STUMBO (CONCURS) AND WINE (CONCURS)	2006-CA-2244-MR NOT TO BE PUBLISHED	WARREN
1392	BURNS (DEBORAH KAY RISNER) VS. BURNS, JR (ROBERT EUGENE) OPINION AFFIRMING COMBS (PRESIDING JUDGE) MOORE (CONCURS) AND VANMETER (CONCURS)	2006-CA-2375-MR NOT TO BE PUBLISHED	MASON

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1393	CLARK (WILLIAM G.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING ACREE (PRESIDING JUDGE) COMBS (CONCURS) AND VANMETER (CONCURS)	2006-CA-2567-MR NOT TO BE PUBLISHED	PULASKI
1394	THOMPSON (LUCRETIA L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) HOWARD (CONCURS) AND TAYLOR (CONCURS)	2006-CA-2568-MR NOT TO BE PUBLISHED	JEFFERSON
1395	HIBBENS (SANDRA) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING ROSENBLUM (PRESIDING JUDGE) ACREE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-2601-MR NOT TO BE PUBLISHED	MAGOFFIN
1396	SAYLOR (GREGORY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) DIXON (CONCURS IN RESULT ONLY) AND ROSENBLUM (DISSENTS AND FILES SEPARATE OPINION)	2006-CA-2629-MR NOT TO BE PUBLISHED	KENTON
1397	T. E. B., JR VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) STUMBO (CONCURS) AND WINE (CONCURS)	2007-CA-0031-ME NOT BE PUBLISHED	WARREN
1398	WEDDINGTON (TIMOTHY) VS. TRAVELERS PROPERTY & CASUALTY INSURANCE COMPANY, ET AL. OPINION AFFIRMING LAMBERT (PRESIDING JUDGE) ACREE (CONCURS) AND ROSENBLUM (CONCURS IN RESULT)	2007-CA-0169-MR NOT TO BE PUBLISHED	PIKE

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1399	LONDON (STEVEN HUNTER) VS. COLLINS (LATONYA) OPINION VACATING AND REMANDING HOWARD (PRESIDING JUDGE) NICKELL (CONCURS) AND TAYLOR (CONCURS)	2007-CA-0529-ME TO BE PUBLISHED	JEFFERSON
1400	J. W. S. VS. COMMONWEALTH OF KENTUCKY, ET AL. OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) NICKELL (CONCURS) AND VANMETER (CONCURS)	2007-CA-0599-ME 2007-CA-0627-ME NOT TO BE PUBLISHED	OHIO
1401	FAIRCHILD (BRANTLEY) VS. FAIRCHILD (NOW ROUP) (KRISTIAN R.) OPINION REVERSING AND REMANDING GUIDUGLI (PRESIDING JUDGE) COMBS (CONCURS) AND HOWARD (CONCURS)	2007-CA-0760-ME NOT TO BE PUBLISHED	GREENUP
1402	JOHNSON (DANIEL) VS. DIAMOND MAY COAL COMPANY, ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DIXON (CONCURS) AND WINE (CONCURS)	2007-CA-1155-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

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ORDERS DISMISSING:

MELISSA ANN MOORE-PETERS
VS.
BENJAMIN G. KLETTE; ET AL
ENTERED: 11/28/06

2006-CA-1030-MR BOONE

EUGENE ALVIN THOMAS
VS.
THEODORE KUSTER, ET AL
ENTERED: 11/28/06

2006-CA-2481-MR FRANKLIN

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ORDER DENYING PETITION FOR WRIT OF MANDAMUS AND PROHIBITION:

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MITCHELL STEWARD, SR. AND
MARY C. STEWARD
VS.
HON. SHEILA N. FARRIS, JUDGE
HENDERSON CIRCUIT (FAMILY) COURT
AND
LASHAWNA STEWARD; PATRICIA
CORINA, GUARDIAN AD LITEM
FOR L.R.S.; AND COMMONWEALTH
OF KENTUCKY, CABINET FOR
HEALTH AND FAMILY SERVICES

2007-CA-1766-OA

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APPEALS

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ORDER DENYING PETITION FOR REHEARING FROM PREVIOUS WEEK ENDING
11/21/07:

PETER M. GANNOTT
VS.
SUSAN GANNOTT
ENTERED: 11/20/07

2006-CA-845-MR

JEFFERSON

DONNA GUY WATSON
VS.
ALLEN RAY WATSON; AND MARK SMEDAL
ENTERED: 11/20/07

2006-CA-1598-MR

JEFFERSON

DAVID WILKINS
VS.
KENTUCKY RETIREMENT SYSTEMS BOARD
OF TRUSTEES
ENTERED: 11/21/07

2006-CA-1626-MR

FRANKLIN

BOARD OF TRUSTEES, KENTUCKY
RETIREMENT SYSTEMS
VS.
MICHAEL DOSSETT
ENTERED: 11/20/07

2006-CA-2352-MR

FRANKLIN

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ORDER DENYING DISCRETIONARY REVIEW:

ELSIE M. FULCHER
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 11/21/07

2007-CA-1650-DR

WARREN

DOUGLAS HAWKINS
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 11/21/07

2007-CA-1799-DR

ANDERSON

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ORDERS DISMISSING FROM PREVIOUS WEEK ENDING 11/21/07:

JON A. MICHAEL VS. ANITA ELIZABETH HERREN; ET AL ENTERED: 11/21/07	2006-CA-0766-MR	CASEY
CITY OF INDEPENDENCE VS. COUNTY OF KENTON, KENTUCKY ENTERED: 11/21/07	2006-CA-1550-MR	KENTON
JIMMY W. ALLEN VS. VICTORIA L. ALLEN ENTERED: 11/21/07	2006-CA-1940-MR	KENTON
TROY DEWAYNE HUGHES VS. COMMONWEALTH OF KENTUCKY ENTERED: 11/21/07	2007-CA-0706-MR	FAYETTE
DAVID KAEKA VS. CHRISTY WOOD (KAEKA) ENTERED: 11/20/07	2007-CA-0913-ME	JEFFERSON
JOHN C. GERSTLE VS. LOUISVILLE GAS & ELECTRIC COMPANY ENTERED: 11/21/07	2007-CA-1079-MR	JEFFERSON
BRAD BLANE NOFFSINGER VS. COMMONWEALTH OF KENTUCKY ENTERED: 11/21/07	2007-CA-1284-ME 2007-CA-1285-ME AND 2007-CA-1286-ME	MORGAN
JOE A BROWDER VS. HON. DENISE CLAYTON, JUDGE JEFFERSON CIRCUIT COURT AND THE DEPARTMENT OF VETERANS AFFAIRS ENTERED: 11/21/07	2007-CA-1490-OA	JEFFERSON
KENNETH P. WILSON VS. DAVID OSBORNE, JAILER ENTERED: 11/21/07	2007-CA-1558-MR	DAVIESS

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DENISE NEWSOME 2007-CA-1589-MR KENTON
VS.
GARY MARTIN
ENTERED: 11/21/07

TIMOTHY ENYART 2007-CA-1725-OA ELLIOTT
VS.
HON. REBECCA PHILLIPS, JUDGE
ELLIOT CIRCUIT COURT
ENTERED: 11/21/07

JACKIE WALTERS 2007-CA-1813-MR LAUREL
VS.
DONNIE EATON: ET AL
ENTERED: 11/21/07

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ORDER DENYING CR 65.08 RELIEF FROM PREVIOUS WEEK ENDING 11/21/07:

BERRY A. CAMPBELL, M.D. 2007-CA-1841-MR JEFFERSON
VS.
KENTUCKY BOARD OF MEDICAL
LICENSURE
ENTERED: 11/21/07

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION OR ALTERNATIVELY MOTION
FOR RELIEF PURSUANT TO CR 65.08 FROM PREVIOUS WEEK ENDING 11/21/07:

ROBERT MICHAEL BURNSIDE, IN HIS 2007-CA-1748-OA HOPKINS
CAPACITY AS SECRETARY OF THE
FINANCE AND ADMINISTRATION CABINET
VS.
HON. PHILIP J. SHEPHERD, JUDGE
FRANKLIN CIRCUIT COURT
AND
AMERICAN TAX FUNDING, LLC

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION FROM PREVIOUS WEEK
ENDING 11/21/07:

MARK FAMBROUGH 2007-CA-1373-OA HENDERSON
VS.
COMMONWEALTH OF KENTUCKY; AND
DEZIARY MCDONALD
ENTERED: 11/21/07

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ORDER DENYING PETITION FOR WRIT OF MANDAMUS FROM PREVIOUS WEEK ENDING 11/16/07:

JOHNNY LEE CISSELL 2007-CA-1453-MR JEFFERSON
VS.
CABINET FOR HEALTH AND FAMILIES
AND CHILDREN
ENTERED:11/14/07

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ORDER AFFIRMING FROM PREVIOUS WEEK ENDING 11/16/07:

ANTHONY DOVE 2007-CA-1920-MR OLDHAM
VS.
JANES SWEATT
ENTERED: 11/15/07

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ORDER DISMISSING FROM PREVIOUS WEEK ENDING 11/16/07:

DAVID MICHAEL BERRY 2007-CA-0875-OA JEFFERSON
VS.
HON. JUDITH MCDONALD-BURKMAN, ET
AL