

UPDATED 08/02/2005

UPDATED

Oral Argument Calendar

AUGUST 2005

08/02/2005

AUGUST 2005

August 8, 2005 1:30 PM, MOTION PANEL, JUDGE GUIDUGLI, PRES., JUDGE BARBER; and JUDGE McANULTY, ASSOC

August 9, 2005 10:00 AM, COURT MEETING

12:15 - 12:45 PM, ORAL ARGUMENT, #2004-CA-1468, LEBBY HUDSON, ET AL. V. OLD NATIONAL TRUST, ET AL. JUDGE McANULTY, PRES., JUDGES GUIDUGLI AND JOHNSON, ASSOC.

1:00 - 1:30 PM, ORAL ARGUMENT, #2004-CA-1305, MAXINE FELIX V. LYKINS ENTERPRISES, INC., ET AL., CHIEF JUDGE COMBS, PRES., JUDGE GUIDUGLI AND SENIOR JUDGE MILLER, ASSOC. (RESCHEDULED FROM JULY 2005)

1:45 - 2:15 PM, ORAL ARGUMENT, #2004-CA-1449, EDDIE PATTERSON V. COMMONWEALTH, CHIEF JUDGE COMBS, PRES., JUDGES HENRY AND TACKETT, ASSOC.

2:30 - 3:00 PM, ORAL ARGUMENT, #2003-CA-2166 & 2003-CA-2235, KENNETH JAMES, ET AL. V. JANICE SEVRE-DUSZYNSKA, ET AL., JUDGE GUIDUGLI, PRES.; JUDGES DYCHE AND McANULTY, ASSOC.

3:15 - 3:45 PM, ORAL ARGUMENT, #2003-CA-2624 & 2003-CA-2714, COMMONWEALTH V. KAREN BROWN, JUDGE HENRY, PRES., JUDGES COMBS AND TACKETT, ASSOC.

PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL ARGUMENTS SCHEDULED:

FRANKFORT - Contact Sam Givens, 502-573-7920

MUNFORDVILLE - Rita (Hart Circuit Clerk's Office), 270-524-5181

PANEL: WEST/SOUTHCENTRAL

LOCATION: CIRCUIT COURTROOM, HART COUNTY COURTHOUSE, 200 MAIN STREET, MUNFORDVILLE, KENTUCKY

DATE: Wednesday, August 17, 2005

11:00 AM PJ: BUCKINGHAM DYCHE TAYLOR
 2004CA001583 LIBERTY ROAD CHRISTIAN SCHOOL VS TODD COUNTY HEALTH DEPARTMENT ET AL.
 CLOSING OF A MENNONITE SCHOOL

CIVIL TODD COUNTY TYLER L GILL

Appellant Atty:

Appellant Name:

.....
 THOMAS, DANIEL N.

.....
 LIBERTY ROAD CHRISTIAN SCHOOL

Appellee Atty:

Appellee Name:

.....
 JOHNS, HAROLD M.
 WALKER, JOHN HUNTER

.....
 TODD COUNTY HEALTH DEPARTMENT
 CABINET FOR HEALTH SERVICES AND FAMILIES

1:15 PM PJ: TAYLOR BUCKINGHAM DYCHE
 2004CA001623 CAROL ROWLAND VS COMMONWEALTH OF KENTUCKY

WHETHER TRIAL COURT PROPERLY DENIED MOTION TO SUPPRESS EVIDENCE SEIZED FROM WARRANTLESS SEARCH OF APPELLANT'S HOME.

CRIMINAL BRECKINRIDGE COUNTY ROBERT A MILLER

Appellant Atty:

Appellant Name:

.....
 MADDEN, PAUL L.

.....
 CAROL ROWLAND

Appellee Atty:

Appellee Name:

.....
 CROSS, JEFFREY A
 SMITH, KENTON R.
 STREIBLE, SUSAN MARIE
 STUMBO, GREGORY D.

.....
 COMMONWEALTH OF KENTUCKY
 COMMONWEALTH OF KENTUCKY
 COMMONWEALTH OF KENTUCKY
 COMMONWEALTH OF KENTUCKY

**NOTE:PREVIOUSLY SET FOR 9:30 AM.

PANEL: WEST/SOUTHCENTRAL

LOCATION: CIRCUIT COURTROOM, HART COUNTY COURTHOUSE, 200 MAIN STREET,
MUNFORDVILLE, KENTUCKY

DATE: Wednesday, August 17, 2005

2:00 PM

PJ: TAYLOR

BUCKINGHAM

DYCHE

2004CA002128

LAWRENCE KERSEY VS COMMONWEALTH OF KENTUCKY

WHETHER TRIAL COURT PROPERLY DENIED MOTION TO SUPPRESS EVIDENCE SEIZED FROM STOP OF
AUTOMOBILE.

CRIMINAL

HART COUNTY

LARRY D. RAIKES

Appellant Atty:

Appellant Name:

.....
HOWARD, JAMES I

.....
LAWRENCE T. KERSEY

Appellee Atty:

Appellee Name:

.....
SEELIG, GEORGE G.

.....
COMMONWEALTH OF KENTUCKY

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

**NOTE:PREVIOUSLY SET FOR 10:15 AM

PANEL: LOUISVILLE METRO

LOCATION: COURT OF APPEALS COURTOOM, 360 DEMOCRAT DRIVE, FRANKFORT,
KENTUCKY

DATE: Tuesday, August 09, 2005

12:15 PM

PJ: MCANULTY

GUIDUGLI

JOHNSON

2004CA001468

LEBBY HUDSON ET AL. VS OLD NATIONAL TRUST ET AL.

WHERE DONEE'S INTENT IS CLEARLY EXPRESSED IN A WILL DOES STATUTE REQUIRE SPECIFIC REFERENCE TO TRUST DOCUMENT. KRS 394.060.

CIVIL

UNION COUNTY

TOMMY W. CHANDLER

Appellant Atty:

Appellant Name:

.....
PARRENT, HOMER

.....
LEBBY C. HUDSON

LEBBY C. HUDSON

LISA ANN HUDSON

THACKER, GEORGE

LEBBY C. HUDSON

LEBBY C. HUDSON

LISA ANN HUDSON

Appellee Atty:

Appellee Name:

.....
DILGER, CRAIG C

.....
JON W. ANDERSON

MARGARET W. ANDERSON

MEGHANN A. ZOLAN

HULETTE, SIDNEY H

OLD NATIONAL TRUST

PANEL: NORTH/CENTRAL

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: Tuesday, August 09, 2005

1:45 PM

PJ: COMBS

HENRY

TACKETT

2004CA001449

EDDIE PATTERSON VS COMMONWEALTH OF KENTUCKY

RCR 11.42 ALLEGING AS ERRORS:
(1) FAILURE OF TRIAL COURT TO HOLD AN EVIDENTIARY HEARING AND (2) FAILURE TO APPOINT COUNSEL, FORCING APPELLANT TO PROCEED PRO SE.

POST-CONVICTION

HARDIN COUNTY

T. STEVEN BLAND

Appellant Atty:

Appellant Name:

PEARSON, JULIA KAROL

EDDIE DANTE PATTERSON

Appellee Atty:

Appellee Name:

PEARSON, RICKIE L.

COMMONWEALTH OF KENTUCKY

2:30 PM

PJ: GUIDUGLI

DYCHE

MCANULTY

2003CA002166

KENNETH JAMES ET AL. VS JANICE SEVRE-DUSZYNSKA ET AL.

2003CA002235

DIRECT APPEAL: TENURED TEACHER UNDER CONTRACT TERMINATED AFTER BEING SENTENCED TO 90 DAYS OF FEDERAL INCARCERATION; REVERSED BY TRIBUNAL. BD. OF ED & SUPERINTENDENT'S APPEAL TO CIRCUIT COURT AFFIRMED. BD OF ED & SUPERINTENDENT ARGUE BREACH OF CONTRACT BY TEACHER; JOB ABANDONMENT. CROSS-APPEAL: INSTRUCTIONS TO TRIBUNAL ERRONEOUS REGARDING PROOF REQUIRED TO SUPPORT INSUBORDINATION CHARGE UNDER KRS 161.790.

CIVIL

FAYETTE COUNTY

SHEILA R. ISAAC

Appellant Atty:

Appellant Name:

CHENOWETH, ROBERT L.

BOARD OF EDUCATION OF FAYETTE COUNTY, KENTUCKY

KENNETH JAMES

FOGLE, JOHN C.

BOARD OF EDUCATION OF FAYETTE COUNTY, KENTUCKY

KENNETH JAMES

GREGG, VIRGINIA W.

BOARD OF EDUCATION OF FAYETTE COUNTY, KENTUCKY

KENNETH JAMES

Appellee Atty:

Appellee Name:

NOLAND, KEVIN M.

GENE WILHOIT

LILLY SULLIVAN

MARTHA BOYD

THOMAS LYNCH

RUBLE, MARY W

JANICE SEVRE-DUSZYNSKA

PANEL: NORTH/CENTRAL

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE, FRANKFORT,
KENTUCKY

DATE: Tuesday, August 09, 2005

3:15 PM

PJ: HENRY

COMBS

TACKETT

2003CA002624

COMMONWEALTH OF KENTUCKY VS KAREN BROWN

2003CA002714

RCR. 11.42, APPEAL FROM GRANTING OF INEFFECTIVE ASSISTANCE OF COUNSEL MOTION.

POST-CONVICTION

FAYETTE COUNTY

REBECCA M OVERSTREET

Appellant Atty:

Appellant Name:

.....
FERGUSON, TODD D

.....
COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....
NEAL, RICHARD EDWIN

.....
KAREN BROWN

THOMAS, MARGUERITE NEILL

KAREN BROWN

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE, FRANKFORT,
KENTUCKY

DATE: Tuesday, August 09, 2005

1:00 PM

PJ: COMBS

GUIDUGLI

MILLER

2004CA001305

MAXINE FELIX VS LYKINS ENTERPRISES, INC. ET AL.

SUMMARY JUDGMENT; DID APPELLANT WAIVE A LEASE REQUIREMENT FOR APPELLEE TO EXERCISE AN OPTION
TO PURCHASE IN WRITING? NO EVIDENTIARY HEARING WAS HELD.

CIVIL

MASON COUNTY

ROBERT MCGINNIS

Appellant Atty:

Appellant Name:

.....
BLANKENSHIP, N JEFFREY

.....
MAXINE S. FELIX

MONOHAN, EDWARD S

MAXINE S. FELIX

Appellee Atty:

Appellee Name:

.....
SULLIVAN, RICHARD M

.....
DAVID O. LYKINS

FUEL STOP REAL ESTATE COMPANY

FUEL STOPS, INC.

LYKINS ENTERPRISES, INC.

WILLIAM T. ESHAM