

July 2024 ORAL ARGUMENT CALENDAR

Motion Panel

Judge Lisa P. Jones, Presiding Judge

Judge Glenn E. Acree and
Judge Jacqueline M. Caldwell, Associate
Judges

Wednesday, July 24, 2024

**Location: LINCOLN COUNTY JUDICIAL CENTER, 101 E. MAIN STREET,
STANFORD, KY**

**1:30PM
(EST)**

JAMES S. HAMILTON, ET AL. v. P.B. STRATTON FAMILY PARTNERSHIP, LLC

[2023-CA-0575](#); [2023-CA-0577](#); [2023-CA-0580](#); [2023-CA-0663](#)

PRESIDING JUDGE: HON. AUDRA J. ECKERLE

ASSOCIATE JUDGES: HON. JACQUELINE M. CALDWELL and HON. SUSANNE M. CETRULO

Appeal and cross-appeals from combined bench and jury trials on matters relating to a boundary dispute. In 23-575, the Hamiltons argue: (1) the Trial Court erred by granting directed verdict on their trespass and royalty-disgorgement claims; (2) the Trial Court abused its discretion on several discovery/evidentiary rulings; (3) the Trial Court erred by finding for the Comptons on their adverse possession claim; (4) denial of prejudgment interest and costs; (5) the jury's verdict on the 1842 boundary should be reversed; and (6) the Trial Court erred by not allowing the individual partners of PBS to be joined as parties.

In 23-577, Shelby Fuel argues that the interpretation of the 1893 deed was improperly submitted to the jury.

In 23-580, Paul Watts also appeals from the trial court's decision to submit the boundary dispute to the jury. He also argues that the Trial Court abused its discretion by allowing the Hamiltons' surveyors to testify, and by allowing the Hamiltons' claim to the Colemans' property to proceed.

In 23-663, PBS and the Thompsons also argue they were entitled to a judgment as a matter of law as to the interpretation of the 1898 deed, the boundary, and ownership of the gas well. They also argue that the Trial Court failed to properly instruct the jury as to the location of the boundary claimed by the Hamiltons.

PIKE County, HON. THOMAS M. SMITH

Attorney for Appellant: James Paul Pruitt, Jr.

Attorneys for Appellee: Anna Stewart Whites, Patrick Flanagan Estill, Billy Ray Shelton, Charles Thomas Anderson, William A Hoskins, III, Candace Beth Smith, David Thomas Faughn, James Lincoln Hamilton, Jonah Lee Stevens, Richard Alan Getty, David Carey Stratton, Scott Marlow Webster, Emily Faith Wetmore, and John Kevin West

Tuesday, July 30, 2024

**Location: CALLOWAY COUNTY JUDICIAL BUILDING, 312 N. 4TH STREET,
MURRAY, KY**

**1:30PM
(CST)**

**KENNETH JARNIGAN v. ALLSTATE PROPERTY AND CASUALTY INSURANCE
COMPANY**

[2023-CA-0333](#)

PRESIDING JUDGE: HON. JEFF S. TAYLOR

ASSOCIATE JUDGES: HON. SARA W. COMBS and HON. LISA P. JONES

**WHETHER CIRCUIT COURT ERRED BY DISMISSING APPELLANT'S AMENDED
COMPLAINT AGAINST APPELLEE FOR FAILURE TO STATE A CLAIM UPON
WHICH RELIEF COULD BE GRANTED.**

OHIO County, HON. TIMOTHY R. COLEMAN

Attorney for Appellant: Russell Lynn Wilkey

Attorney for Appellee: Brian David Stempien

**2:15PM
(CST)**

PAIGE WILLIAMS v. COMMONWEALTH OF KENTUCKY

[2023-CA-0988; 2023-CA-0403](#)

PRESIDING JUDGE: HON. JEFF S. TAYLOR

ASSOCIATE JUDGES: HON. SARA W. COMBS and HON. LISA P. JONES

**WHETHER CIRCUIT COURT ERRED BY DENYING APPELLANT'S MOTIONS
FOR JUDGMENT OF ACQUITTAL PURSUANT TO RCR 10.24.**

CHRISTIAN County, HON. BRIAN WIGGINS

Attorney for Appellant: William Deatherage, Jr.

Attorney for Appellee: Joseph A. Beckett and Russell M. Coleman