

**UPDATED: 6/11/2015**

# **JUNE 2015**

# **ORAL ARGUMENT**

# **CALENDAR**

Report Updated On: 6/11/2015

Updated 06/10/2015

JUNE, 2015

JUNE 15, 2015

1:00 – 1:30 P.M., (ET), ORAL ARGUMENT,  
#2014-CA-0406, HBR BROWNSVILLE, LLC v JOHNNY  
CHILDRESS – JUDGE STUMBO, PRESIDING JUDGE,  
CHIEF JUDGE ACREE AND JUDGE TAYLOR, ASSOC.

1:45 – 2:25 P.M., (ET), ORAL ARGUMENT,  
#2013-CA-1159/1461, MARK SIETSEMA v JOHN ADAMS –  
JUDGE STUMBO, PRESIDING JUDGE, JUDGE KRAMER  
AND JUDGE DEBRA LAMBERT, ASSOC. \*\*40 MINUTES

2:00 P.M. (ET) – MOTION PANEL – JUDGE CLAYTON,  
PRESIDING JUDGE, JUDGE DIXON AND JUDGE  
TAYLOR, ASSOC.

JUNE 16, 2015

10:30 A.M. (ET) - COURT MEETING IN LEXINGTON,  
KENTUCKY AT THE HYATT REGENCY, THE HENRY  
CLAY ROOM.

JUNE 30, 2015

1:30 P.M. (ET) – JULY MOTION PANEL – JUDGE  
KRAMER, PRESIDING JUDGE, JUDGE DIXON AND  
JUDGE D. LAMBERT, ASSOC.

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

**FRANKFORT – Contact Patricia Brauer – (502) 573-7920**

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

**DATE: Monday, June 15, 2015**

01:00 PM PJ: STUMBO, HON. JANET L.

ACREE, HON. GLENN E.

TAYLOR, HON. JEFF S.

2014CA000406

HBR BROWNSVILLE, LLC v JOHNNY CHILDRESS

Appeal from order denying arbitration in wrongful death suit against nursing home and its administrator.

<b>CIVIL</b>	<b>EDMONSON COUNTY</b>	<b>HON RONNIE C DORTCH</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
AHRENS, JAN		HBR BROWNSVILLE, LLC
LOMOND, KRISTIN		
MILLER, DONALD II		
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
LOGSDON, GARY		CHILDRESS, JOHNNY
MAIER, KURT		
MINNER, MATTHEW		
.....		

\*\* NOTE: \*\*PREVIOUSLY ON MARCH 30, 2015 @ 1:30 PM.

01:45 PM PJ:

2013CA001159

MARK SIETSEMA v JOHN ADAMS

2013CA001461

<b>CIVIL</b>	<b>HARDIN COUNTY</b>	<b>HON KELLY MARK EASTON</b>
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
BELZLEY, GREGORY		SIETSEMA, MARK
CANON, DANIEL		
.....		
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
BROWN, DANIEL		ADAMS, JOHN
GAZAK, DAVID		
SHILTS, ROBERT		
.....		
BRANNON, MARGARET		WALKUP, ELIZABETH
DUNCAN, ROBERT		
.....		

\*\* NOTE: \*\*PREVIOUSLY ON FEBRUARY 10, 2015 AT 10:00 AM (ET) IN FRANKFORT, KENTUCKY. \*\*40 MINUTE ORAL.

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

**DATE: Monday, June 15, 2015**

01:45 PM PJ: STUMBO, HON. JANET L.

KRAMER, HON. JOY A.

LAMBERT, HON. DEBRA HEMBREE

2013CA001159

MARK SIETSEMA v JOHN ADAMS

2013CA001461

Appeal from grant of summary judgment in suit against medical providers for detention facility. Did trial court err in holding that private for-profit medical provider company was entitled to qualified official immunity and that Appellant needed to employ an expert to establish a causal link between MD and nursing staffs' actions to injury suffered by appellant? Further, did trial court err in holding there was no issue of material fact as to the meaning and clarity of medical orders?

CIVIL

HARDIN COUNTY

HON KELLY MARK EASTON

Appellant Atty:

BELZLEY, GREGORY  
CANON, DANIEL

Appellant Name:

SIETSEMA, MARK

Appellee Atty:

BROWN, DANIEL  
GAZAK, DAVID  
SHILTS, ROBERT

Appellee Name:

ADAMS, JOHN

BRANNON, MARGARET  
DUNCAN, ROBERT

WALKUP, ELIZABETH

\*\* NOTE: \*\*PREVIOUSLY ON FEBRUARY 10, 2015 AT 10:00 AM (ET) IN FRANKFORT, KENTUCKY. \*\*40 MINUTE ORAL.

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

**DATE: Thursday, June 25, 2015**

11:15 AM PJ: KRAMER, HON. JOY A.

COMBS, HON. SARA W.

TAYLOR, HON. JEFF S.

2014CA000187 KEVIN MIDDLETON v GARRARD COUNTY, KENTUCKY

2014CA000235

Civil Case: Whether the trial court erred in its ruling regarding whether Garrard County had authority to reduce the salary of Appellant, a county jailer, during an unexpired term; the County cross appeals regarding whether the Appellant is prohibited from seeking a salary above the amount he accepted prior to his appointment.

CIVIL

GARRARD COUNTY

HON C. HUNTER DAUGHERTY

Appellant Atty:

Appellant Name:

CALVERT, GERRY II

MIDDLETON, KEVIN

LONG, JAMES JR

Appellee Atty:

Appellee Name:

GAY, JONATHAN

GARRARD COUNTY, KENTUCKY

MACK, ERICA

\*\* NOTE:

01:15 PM PJ: TAYLOR, HON. JEFF S.

COMBS, HON. SARA W.

KRAMER, HON. JOY A.

2014CA000341 CHARLES COBERLY v COMMONWEALTH OF KENTUCKY

Whether circuit court erred by instructing the jury upon one count of first-degree criminal mischief (felony) rather than twelve counts of third-degree criminal mischief (misdemeanor).

CRIMINAL

GREENUP COUNTY

HON ROBERT B. CONLEY

Appellant Atty:

Appellant Name:

POTTER, SAMUEL

COBERLY, CHARLES

SCHMIDT, KATHLEEN

Appellee Atty:

Appellee Name:

CONWAY, JACK

COMMONWEALTH OF KENTUCKY

HIGHTOWER, COURTNEY

\*\* NOTE:

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

**DATE: Thursday, June 25, 2015**

**02:00 PM PJ: TAYLOR, HON. JEFF S.**

**COMBS, HON. SARA W.**

**KRAMER, HON. JOY A.**

**2013CA001961 CLARENCE ROGERS v COMMONWEALTH OF KENTUCKY**

**2013CA001962**

2013-CA-001961 and 2013-CA-001962 - Whether circuit court erred by failing to strike a juror for cause; whether circuit court erred by denying appellant probation and by denying the motion for mistrial.

**CRIMINAL**

**HARRISON COUNTY**

**HON JAY DELANEY**

Appellant Atty:

Appellant Name:

**SLATER, ROBIN**

**ROGERS, CLARENCE**

Appellee Atty:

Appellee Name:

**MOORE, JASON**

**COMMONWEALTH OF KENTUCKY**

**\*\* NOTE:**