

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

25. ROBERT GRUMBLATT v. DEBORAH GRUMBLATT  
**OPINION AFFIRMING IN PART, VACATING IN PART, AND REMANDING BY JUDGE GOODWINE**  
CLAYTON, C.J. (CONCURS) AND KRAMER, J. (CONCURS)
- [2016-CA-1854-MR](#)  
[2016-CA-1932-MR](#)  
[2018-CA-0800-MR](#)  
**NOT TO BE PUBLISHED**
- JEFFERSON
26. LAUREN SAVAGE, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF JAMES SAVAGE v. ALLSTATE INSURANCE COMPANY, ET AL.  
**OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE MAZE**  
COMBS, J. (CONCURS) AND DIXON, J. (CONCURS)
- [2017-CA-0615-MR](#)  
**TO BE PUBLISHED**
- JEFFERSON
27. SUZANNE WHEELER, ET AL. v. KATHARINE LAYTON  
**OPINION AFFIRMING BY JUDGE TAYLOR**  
COMBS, J. (CONCURS) AND DIXON, J. (CONCURS)
- [2018-CA-1748-MR](#)  
**TO BE PUBLISHED**
- FAYETTE
28. HASSEN ELMI, ET AL. v. NEURO-ORTHO ASSOCIATES  
**OPINION REVERSING AND REMANDING BY JUDGE COMBS**  
CLAYTON, C.J. (CONCURS) AND JONES, J. (CONCURS)
- [2019-CA-0782-MR](#)  
**NOT TO BE PUBLISHED**
- JEFFERSON

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

29. ERIC BOYD v. [2019-CA-1025-MR](#) BULLITT  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
K. THOMPSON**
- GOODWINE, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
30. JEFFREY A. SEXTON, ET AL. v. [2019-CA-1142-MR](#) JEFFERSON  
US BANK NATIONAL ASSOCIATION **NOT TO BE PUBLISHED**  
AS TRUSTEE, SUCCESSOR IN  
INTEREST TO BANK OF AMERICA,  
NATIONAL ASSOCIATION, AS  
TRUSTEE, SUCCESSOR  
BY MERGER TO LASALLE BANK  
NATIONAL ASSOCIATION, AS  
TRUSTEE FOR MORGAN STANLEY  
MORTGAGE LOAN TRUST 2006-8AR,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-8AR;  
ET AL.
- OPINION AFFIRMING BY JUDGE  
DIXON**
- ACREE, J. (CONCURS) AND  
K. THOMPSON, J. (DISSENTS AND  
FILES SEPARATE OPINION)
31. TED D. MALONE v. [2019-CA-1398-MR](#) JEFFERSON  
JEFFERSON COUNTY BOARD OF **NOT TO BE PUBLISHED**  
EDUCATION
- OPINION AFFIRMING BY JUDGE  
MCNEILL**
- CALDWELL, J. (CONCURS) AND  
MAZE, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

32. HIGHLAND HOSPITAL CORPORATION, ET AL. v. EULA LAWSON [2019-CA-1427-MR](#) FLOYD  
**NOT TO BE PUBLISHED**
- OPINION AND ORDER DISMISSING BY JUDGE COMBS**
- CLAYTON, C.J. (CONCURS) AND JONES, J. (CONCURS)
33. L. P. v. COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES; ET AL. [2019-CA-1580-ME](#) FAYETTE  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE TAYLOR**
- KRAMER, J. (CONCURS) AND LAMBERT, J. (CONCURS)
34. LEGACY HEALTH SERVICES, INC.; ET AL. v. CHRISTOPHER JACKSON, III, AS ADMINISTRATOR OF THE ESTATE OF CHRISTINE JACKSON, DECEASED [2019-CA-1770-MR](#) FAYETTE  
**TO BE PUBLISHED**
- OPINION REVERSING AND REMANDING BY JUDGE ACREE**
- KRAMER, J. (CONCURS) AND TAYLOR, J. (CONCURS AND WRITES SEPARATE OPINION)
35. DAVID RAWLINGS v. KENTUCKY RETIREMENT SYSTEMS, ET AL. [2019-CA-1861-MR](#) FRANKLIN  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE MAZE**
- COMBS, J. (CONCURS) AND DIXON, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

36. RANDALL CAMPBELL, ET AL. v. [2019-CA-1877-MR](#) KENTON  
AMANDA CAMPBELL, ET AL. **NOT TO BE PUBLISHED**
- OPINION VACATING AND  
REMANDING BY JUDGE GOODWINE**
- CLAYTON, C.J. (CONCURS) AND  
KRAMER, J. (CONCURS)
37. BRADLEY SHANE WILSON v. [2019-CA-1880-MR](#) METCALFE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
COMBS**
- CLAYTON, C.J. (CONCURS) AND  
JONES, J. (CONCURS)
38. THOMAS SCOTT REEVES v. [2019-CA-1900-MR](#) ESTILL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
COMBS**
- LAMBERT, J. (CONCURS) AND  
K. THOMPSON, J. (CONCURS)
39. RALPH GENTRY v. [2019-CA-1905-MR](#) MORGAN  
JAMES DAVID GREEN, WARDEN OF **NOT TO BE PUBLISHED**  
EASTERN KENTUCKY  
CORRECTIONAL COMPLEX; ET AL.
- OPINION AFFIRMING BY JUDGE  
CALDWELL**
- JONES, J. (CONCURS) AND  
KRAMER, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

40. A. N. B. v. [2020-CA-0328-ME](#) SHELBY  
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**  
SERVICES, DEPARTMENT FOR  
COMMUNITY BASED SERVICES;  
ET AL.
- OPINION AFFIRMING BY JUDGE  
MCNEILL**
- GOODWINE, J. (CONCURS) AND  
L. THOMPSON, J. (CONCURS)
41. KENTUCKY RETIREMENT SYSTEMS [2020-CA-0450-MR](#) FRANKLIN  
v. **NOT TO BE PUBLISHED**  
ROSA STEPHENS
- OPINION AFFIRMING BY JUDGE  
COMBS**
- LAMBERT, J. (CONCURS) AND  
K. THOMPSON, J. (CONCURS)
42. J. M. v. [2020-CA-0556-ME](#) JOHNSON  
T. J. A., ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
JONES**
- CLAYTON, C.J. (CONCURS) AND  
COMBS, J. (CONCURS)
43. JASON FOWLER v. [2020-CA-0699-ME](#) ANDERSON  
LESLEY N. JONES **NOT TO BE PUBLISHED**
- OPINION REVERSING BY JUDGE  
LAMBERT**
- JONES, J. (DISSENTS AND DOES NOT  
FILE SEPARATE OPINION) AND  
K. THOMPSON, J. (CONCURS IN  
RESULT ONLY)

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

SANDRA C. THOMPSON, ET AL. v.  
B & B FINANCIAL SERVICES, INC.

[2019-CA-0802-MR](#)

JEFFERSON

**Entered: JANUARY 06, 2021**

EDDIE OLIVER, ET AL. v.  
KEVIN ADERHOLD, ET AL.

[2019-CA-1755-MR](#)

GRAYSON

**Entered: JANUARY 11, 2021**

BETH LANCASTER v.  
KENTUCKY BANK

[2020-CA-0026-MR](#)

FRANKLIN

**Entered: JANUARY 08, 2021**

MARK ISAACS, ET AL. v.  
WILL REALTY, LLC

[2020-CA-0039-MR](#)

JEFFERSON

**Entered: JANUARY 08, 2021**

M.S. VIJI M.D., AS EXECUTOR OF THE ESTATE  
OF NARAYAN VENGUSWAMY, M.D. v.  
RICHARD KIDWELL, ET AL.

[2020-CA-0062-MR](#)

SCOTT

**Entered: JANUARY 08, 2021**

RICHARD KIDWELL, ET AL. v.  
M.S. VIJI M.D., AS EXECUTOR OF THE ESTATE  
OF NARAYAN VENGUSWAMY, M.D.; ET AL.

[2020-CA-0063-MR](#)

SCOTT

**Entered: JANUARY 08, 2021**

LIZBETH STONE v.  
BRIDLEWOOD HOMEOWNERS ASSOCIATION,  
INC.; ET AL.

[2020-CA-0241-MR](#)

JEFFERSON

**Entered: JANUARY 11, 2021**

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

MICHELLE OUTLAW PHILLIPS v.  
JUDY M. TAPP, AS EXECUTRIX OF THE  
ESTATE OF EDDIE D. TAPP; ET AL.

[2020-CA-0409-MR](#)

HOPKINS

**Entered: JANUARY 08, 2021**

KENNETH PHILLIPS, JR.; ET AL. v.  
ARON DUCA

[2020-CA-1006-MR](#)

MCCRACKEN

**Entered: JANUARY 06, 2021**

JOSEPHINE MCCLURE, INDIVIDUALLY; ET AL.  
v.  
MCCLURE CORPORATION

[2020-CA-1177-MR](#)

RUSSELL

**Entered: JANUARY 07, 2021**

JOSEPHINE MCCLURE, INDIVIDUALLY; ET AL.  
v.  
MCCLURE CORPORATION, ET AL.

[2020-CA-1367-MR](#)

RUSSELL

**Entered: JANUARY 07, 2021**

STEPHEN SHAW, ET AL. v.  
LAURA CALDWELL, ET AL.

[2019-CA-0737-MR](#)

TAYLOR

**Entered: JANUARY 11, 2021**

MIKHAIL LIPSKIY, ET AL. v.  
WILMINGTON TRUST, NATIONAL  
ASSOCIATION, AS SUCCESSOR TRUSTEE TO  
CITIBANK, N.A.

[2020-CA-0203-MR](#)

JEFFERSON

**Entered: JANUARY 11, 2021**

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

MAJED KHARBOUTLI v.  
VANGUARD HOME INNOVATIONS, INC.  
D/B/A FOUR SEASONS SUNROOMS; ET AL.

[2020-CA-0974-MR](#)

BOONE

**Entered: JANUARY 11, 2021**

ORVILLE ALLEN DEAN v.  
HAROLD CHURCH

[2020-CA-1119-MR](#)

GREENUP

**Entered: JANUARY 11, 2021**

KYLE CLARK v.  
APRIL CLARK

[2020-CA-0698-MR](#)

JEFFERSON

**Entered: JANUARY 06, 2021**

BRIDWELL T. TERHUNE v.  
LYNN D. HIRSCH, ET AL.

[2020-CA-1022-MR](#)

SHELBY

**Entered: JANUARY 06, 2021**

S. B. P. v.  
R. L., ET AL.

[2020-CA-1253-ME](#)

LINCOLN

**Entered: JANUARY 07, 2021**

INFINITY CONSTRUCTION COMPANY, LLC v.  
DANA MARK RATLIFF

[2020-CA-1304-MR](#)

CLARK

**Entered: JANUARY 07, 2021**

SEANA SCHWARTZ v.  
COMMONWEALTH OF KENTUCKY

[2019-CA-1769-MR](#)

HENDERSON

**Entered: JANUARY 06, 2021**



KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

JAMES RICKY OWENS v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0887-MR](#)

SIMPSON

**Entered: JANUARY 07, 2021**

ALEXANDER W. BURDETTE v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0920-MR](#)

FAYETTE

**Entered: JANUARY 06, 2021**

JOSEPH D. MORPHEW v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0953-MR](#)

FRANKLIN

**Entered: JANUARY 06, 2021**

JAMES R. SIMONS v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0957-MR](#)

FRANKLIN

**Entered: JANUARY 06, 2021**

ALAN D. BRUNER v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0959-MR](#)

MEADE

**Entered: JANUARY 06, 2021**

RICHARD STOCKTON, II v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0994-MR](#)

MCCRACKEN

**Entered: JANUARY 07, 2021**

RICHARD STOCKTON, JR. v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0996-MR](#)

MCCRACKEN

**Entered: JANUARY 07, 2021**

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

BELINDA SPEARS v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-0997-MR](#)

CASEY

**Entered: JANUARY 07, 2021**

ADRIAN L. BENTON v.  
COMMONWEALTH OF KENTUCKY

[2020-CA-1060-MR](#)

FAYETTE

**Entered: JANUARY 06, 2021**

JOSEPHINE MCCLURE, INDIVIDUALLY; ET AL.  
v.  
VERNON MINIARD, JR.; ET AL.

[2020-CA-1309-OA](#)

RUSSELL

**Entered: JANUARY 07, 2021**

WHITLEY COUNTY FISCAL COURT, ET AL. v.  
JOHNNY WILLIAM THOMAS, ET AL.

[2019-CA-1693-MR](#)

WHITLEY

**Entered: JANUARY 11, 2021**

JOHNNY THOMAS, ET AL. v.  
WHITLEY COUNTY FISCAL COURT, ET AL.

[2019-CA-1694-MR](#)

WHITLEY

**Entered: JANUARY 11, 2021**

FIFTH THIRD BANK  
D/B/A FIFTH THIRD BANK (OHIO VALLEY) v.  
BARBARA SMITH, EXECUTRIX OF THE ESTATE  
OF DORA MAE WHITLEY; ET AL.

[2019-CA-1887-MR](#)

GREENUP

**Entered: JANUARY 05, 2021**

JESSICA SUE MILLER v.  
DANIEL LEWIS MILLER

[2020-CA-0132-MR](#)

GRAYSON

**Entered: JANUARY 07, 2021**

KENTUCKY COURT OF APPEALS

JANUARY 15, 2021 MINUTES

RELEASED: 10:00 A.M.

**ORDERS DISMISSING**

SIERRA SPENCER, INDIVIDUALLY, ET AL. v.  
KEENAN J. MCLAUGHLIN, INDIVIDUALLY;  
ET AL.

[2020-CA-0145-MR](#)

FAYETTE

**Entered: JANUARY 11, 2021**

JOHN M. FARMER, M.D.; ET AL. v.  
GARRY S. BURRY, INDIVIDUALLY; ET AL.

[2020-CA-0741-MR](#)

JEFFERSON

**Entered: JANUARY 11, 2021**

COMMONWEALTH OF KENTUCKY,  
JUSTICE AND PUBLIC SAFETY CABINET,  
DEPARTMENT OF CORRECTIONS v.  
ANGELICA DAILEY, ET AL.

[2020-CA-0879-MR](#)

FRANKLIN

**Entered: JANUARY 11, 2021**

DECHOKER, LLC v.  
CHRISTOPHER KELLOGG

[2020-CA-0918-MR](#)

JEFFERSON

**Entered: JANUARY 11, 2021**

CRIAG ROPER v.  
ERIN ROPER (N.K.A. GALLOWAY)

[2020-CA-0979-MR](#)

BOONE

**Entered: JANUARY 07, 2021**

ROBERT SCHROEDER, LOUISVILLE METRO  
DEPARTMENT CHIEF v.  
LOUISVILLE METRO COUNCIL, ET AL.

[2020-CA-1172-I](#)

JEFFERSON

**Entered: JANUARY 07, 2021**

MICHAEL SIDEBOTTOM v.  
WATERSHED EQUINE, LLC; ET AL.

[2019-CA-1667-MR](#)

FAYETTE

**Entered: JANUARY 11, 2021**

**KENTUCKY COURT OF APPEALS**

**JANUARY 15, 2021 MINUTES**

**RELEASED: 10:00 A.M.**

**ORDERS DISMISSING**

ELIZABETH TURPIN v.  
JANET CONOVER, WARDEN, ET AL.

[2020-CA-1160-MR](#)

SHELBY

**Entered: JANUARY 06, 2021**

**ORDER DENYING PETITION FOR REHEARING**

MARY PURO v.  
MANAGEMENT REGISTRY, INC.

[2019-CA-0843-MR](#)

JEFFERSON

**Entered: JANUARY 11, 2021**

**ORDER DENYING PETITION FOR WRIT OF MANDAMUS**

BILLY W. BROOKS v.  
JANET J. CROCKER, JUDGE, SIMPSON  
CIRCUIT COURT; ET AL.

[2020-CA-0851-OA](#)

SIMPSON

**Entered: JANUARY 07, 2021**