

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 1 of 8

|     |   |  |           |
|-----|---|--|-----------|
| 477 | TARVER (ALONZO)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>DIXON (PRESIDING JUDGE)<br>MOORE (CONCURS) AND THOMPSON<br>(CONCURS)   | <a href="#">2010-CA-002262-MR</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 478 | TILLMAN (THOMAS)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>MOORE (PRESIDING JUDGE)<br>DIXON (CONCURS) AND TAYLOR<br>(CONCURS)  | <a href="#">2011-CA-001461-MR</a><br>NOT TO BE PUBLISHED | FAYETTE   |
| 479 | VIRGIL (WILLIAM)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION REVERSING AND<br>REMANDING<br>VANMETER (PRESIDING JUDGE)<br>ACREE (CONCURS) AND DIXON<br>(CONCURS)                                     | <a href="#">2011-CA-001673-MR</a><br>TO BE PUBLISHED     | CAMPBELL  |
| 480 | HILL (DANNY DALE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART, AND<br>REMANDING<br>CLAYTON (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND VANMETER<br>(CONCURS) | <a href="#">2011-CA-001890-MR</a><br>NOT TO BE PUBLISHED | RUSSELL   |
| 481 | GREER (LEQUON D.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>CAPERTON (PRESIDING JUDGE)<br>ACREE (CONCURS) AND NICKELL<br>(CONCURS)   | <a href="#">2011-CA-001928-MR</a><br>NOT TO BE PUBLISHED | FAYETTE   |
| 482 | KENTUCKY RETIREMENT SYSTEMS,<br>BOARD OF TRUSTEES<br>VS.<br>ALLGOOD (DENISE)<br>OPINION VACATING AND REMANDING<br>VANMETER (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND MAZE<br>(DISSENTS)             | <a href="#">2011-CA-001999-MR</a><br>NOT TO BE PUBLISHED | FRANKLIN  |

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 2 of 8

|     |   |   |           |
|-----|---|---|-----------|
| 483 | NAPIER (JASON)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>DIXON (CONCURS) AND LAMBERT<br>(CONCURS)  | <a href="#">2011-CA-002288-MR</a><br>NOT TO BE PUBLISHED                                      | LINCOLN   |
| 484 | PILES CHEVROLET PONTIAC BUICK,<br>INC.<br>VS.<br>AUTO OWNERS INSURANCE COMPANY<br>OPINION AFFIRMING<br>VANMETER (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND MAZE<br>(CONCURS)                   | <a href="#">2011-CA-002317-MR</a><br><a href="#">2011-CA-002340-MR</a><br>NOT TO BE PUBLISHED | GRANT     |
| 485 | DURBIN (ROBERT LEE)<br>VS.<br>CSX TRANSPORTATION, INC.<br>OPINION AFFIRMING<br>MAZE (PRESIDING JUDGE)<br>STUMBO (CONCURS) AND THOMPSON<br>(CONCURS)   | <a href="#">2012-CA-000071-MR</a><br>NOT TO BE PUBLISHED                                      | JEFFERSON |
| 486 | HUGHES (LARRY LEE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING IN PART,<br>VACATING IN PART, AND REMANDING<br>TAYLOR (PRESIDING JUDGE)<br>ACREE (CONCURS) AND VANMETER<br>(CONCURS) | <a href="#">2012-CA-000201-MR</a><br>NOT TO BE PUBLISHED                                      | MCCRACKEN |
| 487 | CLEMENT (TOMMY)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>ACREE (CONCURS) AND VANMETER<br>(CONCURS)  | <a href="#">2012-CA-000254-MR</a><br>NOT TO BE PUBLISHED                                      | MCCRACKEN |
| 488 | GIBSON (RUSSELL W.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>MAZE (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND<br>VANMETER (CONCURS)   | <a href="#">2012-CA-000313-MR</a><br>NOT TO BE PUBLISHED                                      | BOURBON   |

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 3 of 8

|     |   |   |            |
|-----|---|---|------------|
| 489 | VICK (DAVID C.)<br>VS.<br>ELLIOTT (BELINDA K.), ET AL.<br>OPINION AFFIRMING<br>VANMETER (PRESIDING JUDGE)<br>ACREE (CONCURS) AND TAYLOR<br>(CONCURS)  | <a href="#">2012-CA-000364-MR</a><br>TO BE PUBLISHED  | LIVINGSTON |
| 490 | ERIKSEN, P.S.C. (WILLIAM C.)<br>VS.<br>GRUNER & SIMMS, PLLC<br>OPINION AFFIRMING<br>ACREE (PRESIDING JUDGE)<br>DIXON (CONCURS) AND THOMPSON<br>(CONCURS)  | <a href="#">2012-CA-000563-MR</a><br>TO BE PUBLISHED  | JEFFERSON  |
| 491 | TELEK (JOHN STEPHEN)<br>VS.<br>DAUGHERTY (N/K/A TAYLOR)<br>(SAMANTHA)<br>OPINION AFFIRMING<br>LAMBERT (PRESIDING JUDGE)<br>ACREE (CONCURS) AND DIXON<br>(CONCURS)   | <a href="#">2012-CA-000568-ME</a><br>NOT TO BE PUBLISHED                                      | KENTON     |
| 492 | JANSON (PAUL)<br>VS.<br>SUMMIT MEDICAL GROUP, INC.<br>OPINION AFFIRMING<br>LAMBERT (PRESIDING JUDGE)<br>ACREE (CONCURS) AND DIXON<br>(CONCURS)  | <a href="#">2012-CA-000587-MR</a><br><a href="#">2012-CA-000604-MR</a><br>NOT TO BE PUBLISHED | KENTON     |
| 493 | FORCHT BANK, NA<br>VS.<br>DENNY (JOHN)<br>OPINION AFFIRMING<br>MAZE (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND LAMBERT<br>(DISSENTS AND WILL NOT FILE<br>SEPARATE OPINION)   | <a href="#">2012-CA-000629-MR</a><br>NOT TO BE PUBLISHED                                      | MADISON    |
| 494 | FARMER (SILAS), ET AL.<br>VS.<br>GRIESHOP (JOE), ET AL.<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART, AND<br>REMANDING<br>THOMPSON (PRESIDING JUDGE)<br>CAPERTON (CONCURS) AND MAZE<br>(CONCURS IN PART, DISSENTS IN<br>PART, AND FILES SEPARATE OPINION) | <a href="#">2012-CA-000676-MR</a><br>NOT TO BE PUBLISHED                                      | HARLAN     |

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 4 of 8

|     |  |  |                  |
|-----|--|--|------------------|
| 495 | HARMON (HEATHER L.)<br>VS.<br>WEDDING (JOHN MICHAEL)<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>DIXON (CONCURS) AND LAMBERT<br>(CONCURS)                        | <a href="#">2012-CA-000964-ME</a><br>NOT TO BE PUBLISHED | JEFFERSON        |
| 496 | M. (R. A.)<br>VS.<br>CABINET FOR HEALTH AND FAMILY<br>SERVICES, ET AL.<br>OPINION AFFIRMING<br>NICKELL (PRESIDING JUDGE)<br>ACREE (CONCURS) AND CAPERTON<br>(CONCURS)    | <a href="#">2012-CA-001236-ME</a><br>NOT TO BE PUBLISHED | JEFFERSON        |
| 497 | PADGETT (ROBERT SHAWN)<br>VS.<br>BOWLIN GROUP, LLC, ET AL.<br>OPINION REVERSING AND<br>REMANDING<br>MAZE (PRESIDING JUDGE)<br>STUMBO (CONCURS) AND VANMETER<br>(CONCURS) | <a href="#">2012-CA-001736-WC</a><br>NOT TO BE PUBLISHED | WORKERS'<br>COMP |

**ORDER FOR THE WEEK ENDING 04/19/2013:****ORDER DENYING PETITION FOR REHEARING:**

BARBARA SUE SARABIA

2011-CA-000023-MR

FAYETTE

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 04/16/2013

**ORDERS FOR THE WEEK ENDING 05/10/2013:****ORDERS DISMISSING:**

DARRYL JONES

2009-CA-001990-MR

JEFFERSON

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 05/10/2013

D.R., A JUVENILE

2012-CA-000470-MR

BREATHITT

VS.

GARY DRAKE, SUPERINTENDENT, BREATHITT JUVENILE DETENTION CENTER

ENTERED: 05/10/2013

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 5 of 8

|   |   |           |
|---|---|-----------|
| URIAS PEREZ<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013       | 2012-CA-001198-MR   | CAMPBELL  |
| MICHAEL GARLAND<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013   | 2012-CA-001228-MR   | JEFFERSON |
| MICHAEL L. BRYANT<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013 | 2012-CA-001507-MR   | JEFFERSON |
| DAVID WARREN<br>VS.<br>HON. WILLIAM WEHR, ET AL.<br>ENTERED: 05/10/2013     | 2012-CA-002082-OA   | CAMPBELL  |
| DAVID T. COHRON<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013   | 2012-CA-002144-MR   | BOYLE     |
| RAYMOND KEETON<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013    | 2013-CA-000086-MR   | HOPKINS   |
| BOBBY BREWER<br>VS.<br>DANIEL AKERS, WARDEN<br>ENTERED: 05/10/2013          | 2013-CA-000107-MR   | MARION    |
| MICHAEL SMITH<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013     | 2013-CA-000297-MR<br>2013-CA-000298-MR<br>2013-CA-000299-MR | CAMPBELL  |
| JAMIE EWING<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013       | 2013-CA-000320-MR   | HARDIN    |

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 6 of 8

|   |                   |           |
|---|-------------------|-----------|
| STELLA M. COLLINS<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013   | 2013-CA-000352-MR | HENRY     |
| LAWRENCE LIMP, JR.<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013  | 2013-CA-000365-MR | SHELBY    |
| RITA MITCHELL<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013       | 2013-CA-000455-MR | MONROE    |
| JAMES PAUL CRUTCHER<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013 | 2013-CA-000461-MR | JEFFERSON |

**ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:**

|  |                   |         |
|--|-------------------|---------|
| RICHARD BORDERS<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013          | 2012-CA-001523-DR | FAYETTE |
| KIM FORAN<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013                | 2012-CA-002075-DR | KENTON  |
| BRIAN EDWARD BOUTHILETTE<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013 | 2012-CA-002089-DR | HARDIN  |
| DARRIN CARROLL<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013           | 2013-CA-000017-DR | BOONE   |
| RUSSELL J. WHITE<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>ENTERED: 05/10/2013         | 2013-CA-000088-DR | SHELBY  |

**COURT OF APPEALS OF KENTUCKY**

05/17/2013 AT 10:00 a.m.

PAGE 7 of 8

OLIVIA JOHNSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/10/2013

2013-CA-000128-DR

JEFFERSON

ARLAINÉ MARR  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/10/2013

2013-CA-000206-DR

HARDIN

LARRY R. BERRY  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/10/2013

2013-CA-000239-DR

BRECKINRIDGE

VIRGINIA YOUNG  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/10/2013

2013-CA-000326-DR

OHIO

**ORDER DENYING WRIT OF MANDAMUS:**

CHRISTOPHER CHAVIES  
VS.  
HON. JOHN KNOX MILLS, ET AL.  
ENTERED: 05/10/2013

2012-CA-002148-OA

LAUREL

**ORDER DENYING BELATED APPEAL:**

GREGORY HILL  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/10/2013

2013-CA-000221-MR

FLOYD

**ORDERS FOR THE WEEK ENDING 05/17/2013:**

**ORDERS DISMISSING:**

STEPHEN GRIFFIN  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 05/13/2013

2012-CA-001389-MR

FAYETTE

