

KENTUCKY COURT OF APPEALS

JUNE 14, 2024 MINUTES

RELEASED: 10:00 A.M.

366. THE SOLOMON FOUNDATION v. [2019-CA-1619-MR](#) FAYETTE  
DAVID O'NEILL IN HIS OFFICIAL **NOT TO BE PUBLISHED**  
CAPACITY AS THE FAYETTE COUNTY  
PROPERTY VALUATION  
ADMINISTRATOR, ET AL.
- OPINION AFFIRMING BY JUDGE  
MCNEILL**
- THOMPSON, C.J. (CONCURS) AND  
A. JONES, J. (CONCURS)
367. SCOTT WILLIAM BRYANT v. [2021-CA-1427-MR](#) JEFFERSON  
HELEN RYDZEWSKI BRYANT [2021-CA-1494-MR](#)  
**NOT TO BE PUBLISHED**
- OPINION AFFIRMING IN PART,  
REVERSING IN PART, AND  
REMANDING BY JUDGE A. JONES**
- KAREM, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
368. MARSHALL YOUNG v. [2021-CA-1511-MR](#) JEFFERSON  
HAIER U.S. APPLIANCE SOLUTIONS, **NOT TO BE PUBLISHED**  
INC., D/B/A GE APPLIANCES
- OPINION AFFIRMING BY JUDGE  
A. JONES**
- KAREM, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
369. DEMETRIUS NORTHERN-ALLISON v. [2022-CA-0379-MR](#) JEFFERSON  
JOHN SEYMOUR, ET AL. **TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
ACREE**
- ECKERLE, J. (CONCURS) AND  
EASTON, J. (DISSENTS AND FILES  
SEPARATE OPINION)

KENTUCKY COURT OF APPEALS

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370. CHARLES A. KNOPPE v. [2022-CA-1134-MR](#) NELSON  
THE LINCOLN NATIONAL LIFE [2022-CA-1185-MR](#)  
INSURANCE COMPANY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
LAMBERT**
- ACREE, J. (CONCURS) AND  
KAREM, J. (CONCURS)
371. BRANDON FITZGERALD v. [2023-CA-0075-MR](#) BALLARD  
JARON SHAFER, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
LAMBERT**
- ACREE, J. (CONCURS) AND  
KAREM, J. (CONCURS)
372. DEMETRIUS M. CLAYTON v. [2023-CA-0172-MR](#) HARDIN  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
MCNEILL**
- CALDWELL, J. (CONCURS) AND  
ECKERLE, J. (CONCURS)
373. JOHN W. CARIEL v. [2023-CA-0212-MR](#) GRAYSON  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
CALDWELL**
- EASTON, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)

KENTUCKY COURT OF APPEALS

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374. K.S. v. [2023-CA-0238-ME](#) MCCRACKEN  
COMMONWEALTH OF KENTUCKY, [2023-CA-0242-ME](#)  
CABINET FOR HEALTH AND FAMILY **NOT TO BE PUBLISHED**  
SERVICES, ET AL.
- OPINION AFFIRMING BY JUDGE  
ACREE**
- KAREM, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)
375. BARRY HICKMAN v. [2023-CA-0305-MR](#) SCOTT  
LOVE'S TRAVEL STOPS & COUNTRY  
STORES, INC. **NOT TO BE PUBLISHED**
- OPINION REVERSING AND  
REMANDING BY JUDGE LAMBERT**
- MCNEILL, J. (CONCURS) AND  
TAYLOR, J. (CONCURS)
376. DAVENPORT EXTREME POOLS AND [2023-CA-0313-MR](#) JEFFERSON  
SPAS, INC., ET AL. v. **TO BE PUBLISHED**  
ELIZABETH ANN MULFLUR, ET AL.
- OPINION AND ORDER AFFIRMING BY  
JUDGE ECKERLE**
- CALDWELL, J. (CONCURS) AND  
MCNEILL, J. (CONCURS)
377. JOHN THRASHER v. [2023-CA-0564-MR](#) WAYNE  
JEREMY CRISWELL, ET AL. **NOT TO BE PUBLISHED**
- OPINION AFFIRMING BY JUDGE  
KAREM**
- ECKERLE, J. (CONCURS) AND  
LAMBERT, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JUNE 14, 2024 MINUTES

RELEASED: 10:00 A.M.

378. STEPHEN E. WAGLER, ET AL. v. [2023-CA-0690-MR](#) MASON  
MASON COUNTY FISCAL COURT **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING BY JUDGE GOODWINE**  
CETRULO, J. (CONCURS) AND  
A. JONES, J. (CONCURS)
379. AUSTIN THOMAS MCCORMACK v. [2023-CA-0721-MR](#) RUSSELL  
MADISON TAYLOR MCCORMACK **NOT TO BE PUBLISHED**  
(NOW ALLEN)  
**OPINION VACATING AND REMANDING BY JUDGE KAREM**  
COMBS, J. (CONCURS) AND  
A. JONES, J. (CONCURS)
380. NICKLAS WILBURN v. [2023-CA-0816-MR](#) GREENUP  
KRISTIN WILBURN **NOT TO BE PUBLISHED**  
**OPINION VACATING AND REMANDING BY JUDGE EASTON**  
ACREE, J. (CONCURS) AND  
GOODWINE, J. (CONCURS)
381. WESLEY A. COLLINS v. [2023-CA-0851-MR](#) CUMBERLAND  
WENDALL L. DANIEL **NOT TO BE PUBLISHED**  
**OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING BY JUDGE GOODWINE**  
CETRULO, J. (CONCURS) AND  
A. JONES, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

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

382. JOHNNA N. SIZEMORE, AS NEXT OF FRIEND OF BRYLEE SIZEMORE v. DONALD HOWARD, ET AL. [2023-CA-0855-MR](#) **NOT TO BE PUBLISHED** BOYD
- OPINION AFFIRMING BY JUDGE A. JONES**
- CETRULO, J. (CONCURS) AND GOODWINE, J. (CONCURS)
383. JOHN RICHIE v. COMMONWEALTH OF KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES, ET AL. [2023-CA-0900-MR](#) **NOT TO BE PUBLISHED** JEFFERSON
- OPINION REVERSING AND REMANDING BY JUDGE COMBS**
- A. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)
384. STEWART SMITH, ET AL. v. TERRY L. HATTON, ET AL. [2023-CA-0939-MR](#) **NOT TO BE PUBLISHED** FAYETTE
- OPINION REVERSING AND REMANDING BY JUDGE COMBS**
- A. JONES, J. (CONCURS) AND KAREM, J. (CONCURS)
385. TELISHA GOSWICK v. JOHNNY GOSWICK [2023-CA-1065-MR](#) **NOT TO BE PUBLISHED** GRAVES
- OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**
- ACREE, J. (CONCURS) AND L. JONES, J. (CONCURS)

KENTUCKY COURT OF APPEALS

JUNE 14, 2024 MINUTES

RELEASED: 10:00 A.M.

386. GRAND LODGE OF KENTUCKY FREE AND ACCEPTED MASONS, ET AL. v. DARLENE PLUMMER, KENTON COUNTY PROPERTY VALUATION ADMINISTRATOR, ET AL. [2023-CA-1080-MR](#) **NOT TO BE PUBLISHED** KENTON
- OPINION AFFIRMING BY CHIEF JUDGE THOMPSON**
- ACREE, J. (CONCURS) AND L. JONES, J. (CONCURS)
387. COMMONWEALTH OF KENTUCKY v. RODNEY D. JONES [2023-CA-1132-MR](#) **TO BE PUBLISHED** BRECKINRIDGE
- OPINION REVERSING AND REMANDING BY CHIEF JUDGE THOMPSON**
- A. JONES, J. (CONCURS) AND LAMBERT, J. (CONCURS)
388. MICHAEL HARDIN v. FORD MOTOR CO., ET AL. [2023-CA-1250-WC](#) **NOT TO BE PUBLISHED** WORKERS' COMPENSATION BOARD
- OPINION AFFIRMING BY JUDGE KAREM**
- ECKERLE, J. (CONCURS) AND A. JONES, J. (CONCURS)
389. COMMONWEALTH OF KENTUCKY v. JAMES LYNCH, ET AL. [2023-CA-1445-ME](#) **TO BE PUBLISHED** GALLATIN
- OPINION REVERSING AND REMANDING BY JUDGE EASTON**
- ECKERLE, J. (CONCURS) AND LAMBERT, J. (CONCURS)

**KENTUCKY COURT OF APPEALS**

**JUNE 14, 2024 MINUTES**

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

**ORDERS DISMISSING**

GILBERT, BARBEE, MOORE, & MCILVOY,  
P.S.C. D/B/A GRAVES-GILBERT CLINIC v.  
ALICE DUFF, ET AL.

[2023-CA-0022-MR](#)  
[2023-CA-0132-MR](#)  
[2023-CA-0133-MR](#)

WARREN

**AND**

ALICE DUFF, ET AL. v.  
TAGE F. HAASE, ET AL.

**Entered: JUNE 12, 2024**

DARREIAN WALLACE v.  
DEPT. FOR COMMUNITY BASED SERVICES,  
ET AL.

[2023-CA-1476-WC](#)

WORKERS'  
COMPENSATION  
BOARD

**Entered: JUNE 11, 2024**

**ORDERS DENYING PETITIONS FOR REHEARING**

KENTUCKY STATE POLICE/COMMONWEALTH  
OF KENTUCKY v.  
SGT. KEVIN BURTON, ET AL.

[2022-CA-1028-MR](#)  
[2022-CA-1108-MR](#)

FRANKLIN

**Entered: JUNE 05, 2024**

MARCIE LYNN TROUTT AS ADMINISTRATRIX  
OF THE ESTATE OF MADELYNN NOEL TROUTT  
AND INDIVIDUALLY, ET AL. v.  
THE BAIL PROJECT, INC., ET AL.

[2023-CA-0171-MR](#)

JEFFERSON

**Entered: JUNE 05, 2024**

**ORDER REVERSING AND REMANDING HABEAS APPEAL**

ABIGAIL CAUDILL, WARDEN v.  
GREGORY SIMPSON

[2024-CA-0101-ME](#)

FAYETTE

**Entered: JUNE 05, 2024**