

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 1 OF 7

554	COMMONWEALTH OF KENTUCKY VS. HOLLOWAY (DARWIN E.) OPINION REVERSING STUMBO (PRESIDING JUDGE) KNOPF (CONCURS) AND ABRAMSON (CONCURS IN RESULT ONLY)	2005-CA-0829-MR TO BE PUBLISHED	FAYETTE
555	MARCUM (JACKIE R.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	2005-CA-1086-MR NOT TO BE PUBLISHED	JACKSON
556	KENTER (RICKY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	2005-CA-1770-MR NOT TO BE PUBLISHED	BOONE
557	MCMILLIAN (MICHAEL LEE) VS. MCMILLIAN (DIANA SHAW) OPINION VACATING AND REMANDING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND KELLER (CONCURS)	2005-CA-1835-MR NOT TO BE PUBLISHED	BARREN
558	PETRONIS (SANDRA) VS. CHURCHILL DOWNS INC. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) ABRAMSON (CONCURS AND FILES A SEPARATE OPINION) AND BUCKINGHAM (DISSENTS AND FILES A SEPARATE OPINION)	2005-CA-1925-MR NOT TO BE PUBLISHED	JEFFERSON
559	JOHNSON (FLOYD GROVER) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	2005-CA-2173-MR TO BE PUBLISHED	BREATHITT

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 2 OF 7

560	DIXON (ROY E.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) PAISLEY (CONCURS) AND TAYLOR (CONCURS)	2005-CA-2239-MR NOT TO BE PUBLISHED	HENDERSON
561	COMMUNITY SERVICES PROJECT INC. VS. BAWAC CLEANING SERVICES INC., ET AL. OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) PAISLEY (CONCURS) AND STUMBO (CONCURS)	2005-CA-2320-MR 2005-CA-2545-MR TO BE PUBLISHED	BOONE
562	MARCUS (WILLIAM) VS. UNIVERSITY OF KENTUCKY, ET AL. OPINION AFFIRMING STUMBO (PRESIDING JUDGE) EMBERTON (CONCURS) AND PAISLEY (CONCURS)	2005-CA-2471-MR 2005-CA-2593-MR NOT TO BE PUBLISHED	FRANKLIN
563	BERNARD (BENJAMIN H.), ET AL. VS. IRVIN (MICHAEL S.) OPINION VACATING AND REMANDING ABRAMSON (PRESIDING JUDGE) TAYLOR (DISSENTS AND FILES SEPARATE OPINION) AND KNOFF (CONCURS)	2006-CA-0223-MR NOT TO BE PUBLISHED	RUSSELL
564	CAVANAH (TERESA) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) STUMBO (CONCURS) AND PAISLEY (CONCURS)	2006-CA-0264-MR NOT TO BE PUBLISHED	WARREN
565	BUGG (DANIEL) VS. AMERICAN LEGION, ANDERSON POST NO. 34 OPINION AFFIRMING NICKELL (PRESIDING JUDGE) MOORE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-0429-MR TO BE PUBLISHED	ANDERSON

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 3 OF 7

566	KERN (AUGUSTUS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) COMBS (CONCURS) AND MOORE (CONCURS)	2006-CA-0445-MR NOT TO BE PUBLISHED	CAMPBELL
567	BERRY (MARLON GERARD) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING NICKELL (PRESIDING JUDGE) MOORE (CONCURS) AND LAMBERT (CONCURS)	2006-CA-0527-MR NOT TO BE PUBLISHED	FAYETTE
568	BEATTY (JERRY L.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND KELLER (CONCURS)	2006-CA-0528-MR NOT TO BE PUBLISHED	FAYETTE
569	GREAT SENECA FINANCIAL CORP. VS. JOHNSON (MARGIE J.) OPINION VACATING AND REMANDING NICKELL (PRESIDING JUDGE) TAYLOR (CONCURS) AND PAISLEY (CONCURS)	2006-CA-0751-MR NOT TO BE PUBLISHED	LOGAN
570	FLOWITT (DR CATHERINE) VS. ASHLAND HOSPITAL CORPORATION OPINION AFFIRMING IN PART, REVERSING IN PART, AND REMANDING. ABRAMSON (PRESIDING JUDGE) TAYLOR (CONCURS) AND KNOFF (CONCURS)	2006-CA-0785-MR NOT TO BE PUBLISHED	BOYD
571	ALLEN (ED), ET AL. VS. DEVINE (DANNY), ET AL. OPINION AFFIRMING NICKELL (PRESIDING JUDGE) PAISLEY (CONCURS) AND TAYLOR (CONCURS IN RESULT ONLY)	2006-CA-0841-ME TO BE PUBLISHED	LOGAN

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 4 OF 7

572	STEPHENS (COSSETTA) VS. OSRAM SYLVANIA, ET AL. OPINION AFFIRMING NICKELL (PRESIDING JUDGE) LAMBERT (CONCURS) AND MOORE (CONCURS)	2006-CA-1060-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
573	LAND (STANLEY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART AND REVERSING IN PART STUMBO (PRESIDING JUDGE) NICKELL (CONCURS) AND VANMETER (CONCURRING IN PART AND DISSENTING IN PART)	2006-CA-1099-MR NOT TO BE PUBLISHED	FAYETTE
574	YOUNG (EDWARD BRIAN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND KELLER (CONCURS)	2006-CA-1114-MR NOT TO BE PUBLISHED	MUHLENBERG
575	YOUNG (KATINA MARIE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND KELLER (CONCURS)	2006-CA-1115-MR NOT TO BE PUBLISHED	MUHLENBERG
576	BAILEY (LARRY) VS. BECKSTROM (GARY), ET AL. OPINION AFFIRMING THOMPSON (PRESIDING JUDGE) VANMETER (CONCURS) AND PAISLEY (CONCURS)	2006-CA-1349-MR NOT TO BE PUBLISHED	ELLIOTT
577	RAMAGE (JAMES), ET AL. VS. HUMPHREY (SHELLY), ET AL. OPINION AFFIRMING BUCKINGHAM (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2006-CA-1774-ME NOT TO BE PUBLISHED	LIVINGSTON

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 5 OF 7

578	DALE (NATASHA) VS. DALE (BENJAMIN) OPINION AFFIRMING ABRAMSON (PRESIDING JUDGE) TAYLOR (CONCURS) AND KNOFF (CONCURS)	2006-CA-1889-ME NOT TO BE PUBLISHED	MONTGOMERY
579	MASSENGILL (JERAMIE) VS. MASSENGILL (STEPHANIE) OPINION AFFIRMING STUMBO (PRESIDING JUDGE) BUCKINGHAM (CONCURS) AND HENRY (CONCURS)	2006-CA-2158-ME NOT TO BE PUBLISHED	MCCRACKEN

* * * * *
ORDER DENYING PETITION FOR WRIT OF MANDAMUS:

PITCHER (BRYAN) VS. HON. PATRICIA WALKER FITZGERALD, JUDGE, & HON. JAMES M. SHAKE, JUDGE, JEFFERSON FAMILY COURT ENTERED: 05/21/07	2007-CA-0299-OA	COURT OF APPEALS
---	-----------------	---------------------

* * * * *
ORDERS DISMISSING:

DAMRON (JAMES) VS. ADKINS (KEVIN) ET AL. ENTERED: 05/22/07	2006-CA-1116-MR	PIKE
DURLEY (JOY) VS. J.T.J. ENTERPRISES, LLC. ET AL. ENTERED: 05/23/07	2005-CA-1974-MR	JEFFERSON
CALDWELL (DARWIN DAVID) VS. CALDWELL (DENENNE CASEBOLT) ET AL. ENTERED: 05/23/07	2004-CA-1828-MR	MAGOFFIN

* * * * *
ORDERS FROM PREVIOUS WEEK ENDING MAY 18, 2007:

ORDERS DENYING CR 76.36 RELIEF:

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 6 OF 7

GRIFFITH (PHILLIP)
VS.
HON. STEVEN D. COMBS, JUDGE
PIKE CIRCUIT COURT ET AL.
ENTERED: 05/16/07

2007-CA-0253-OA

COURT OF
APPEALS

HOWELL (MICHAEL)
VS.
HON. MITCHELL NANCE, JUDGE
BARREN FAMILY COURT ET AL.
ENTERED: 05/16/07

2007-CA-0520-OA

COURT OF
APPEALS

* * * * *

ORDERS DISMISSING:

FRIZZELL (MARK) ET AL.
VS.
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. ET AL.
ENTERED: 05/16/07

2005-CA-2150-MR

MCCRACKEN

LAMB (MARK)
VS.
COMMONWEALTH OF KENTUCKY, ET AL.
ENTERED: 05/17/07

2005-CA-2458-MR

FAYETTE

PREMIER ELKHORN COAL CO. ET AL.
VS.
SPEARS (BOBBY) ET AL.
ENTERED 05/16/07

2006-CA-0233-MR

PIKE

LOUISVILLE REGIONAL AIRPORT
AUTHORITY
VS.
SOUTHWEST AIRLINES CO. A TEXAS
CORPORATION
ENTERED: 05/16/07

2006-CA-0248-MR

JEFFERSON

* * * * *

ORDERS (CONTINUED):

SALESMAN (EUGENE)
VS.
ERIC J. HILGEFORD, M.D. ET AL.
ENTERED: 05/16/07

2006-CA-1907-MR
2007-CA-0362-MR

JEFFERSON

DITTY (MELANIE A.)
VS.
COMMONWEALTH OF KENTUCKY
ENTERED:05/16/07

2006-CA-1925-MR

HARLAN

COURT OF APPEALS OF KENTUCKY

05/25/2007 AT 2:00 P.M.

PAGE 7 OF 7

DITTY (MELANIE A.) 2006-CA-1926-MR HARLAN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/16/07

BAILEY (JACOB) 2006-CA-1927-MR HARLAN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/16/07

JUSTICE (GREG) ET AL. 2006-CA-1938-MR PIKE
VS.
SCHULER (BEVERLY) ET AL.
ENTERED: 05/16/07

DAVIDSON (GREG) 2006-CA-2314-MR OLDHAM
VS.
DEPARTMENT OF CORRECTIONS, ET AL.
ENTERED: 05/16/07

COMMONWEALTH OF KENTUCKY 2007-CA-0251-DR NELSON
VS.
HON. ROBERT W. HEATON, JUDGE
NELSON DISTRICT COURT
ENTERED: 05/16/07

COLWELL (SUE) 2007-CA-0433-MR ROCKCASTLE
VS.
FRANKLIN CREDIT MANAGEMENT CORP.
ENTERED: 05/16/07

* * * * *

ORDERS (CONTINUED):

VENITA GAIL HARRIS ETC., ET AL. 2007-CA-0437-MR WARREN
VS.
HEWITT (KEITH A.) M.D., ET AL.
05/17/07

MBNA AMERICA BANK, N.A. 2007-CA-0527-MR JOHNSON
VS.
VANHOOSE (TAMARA L.) AKA TAMARA
VANHOOSE
ENTERED: 05/17/07

FRANKLIN (RALPH) 2007-CA-0602-MR JEFFERSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 05/16/07