

**COURT OF APPEALS OF KENTUCKY**

06/21/2019 AT 10:00 A.M.

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| 521 | STRAUSS (JON M.), M.D.<br>VS.<br>KENTUCKY BOARD OF MEDICAL<br>LICENSURE<br>OPINION AFFIRMING<br>L. THOMPSON (PRESIDING JUDGE)<br>COMBS (CONCURS) AND MAZE<br>(CONCURS)  | <a href="#">2015-CA-000700-MR</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 522 | NEW HERITAGE HALL HEALTH &<br>REHABILITATION CENTER, LLC,<br>D/B/A HERITAGE HALL HEALTH AND<br>REHABILITATION CENTER, ET AL.<br>VS.<br>COFFMAN (KENNETH), AS<br>ADMINISTRATOR OF THE ESTATE OF<br>CHARLES COFFMAN<br>OPINION AFFIRMING<br>K. THOMPSON (PRESIDING JUDGE)<br>MAZE (CONCURS) AND TAYLOR<br>(CONCURS) | <a href="#">2015-CA-001220-MR</a><br>NOT TO BE PUBLISHED | ANDERSON  |
| 523 | COX (LELAND), INDIVIDUALLY, ET AL.<br>VS.<br>CROSS (JASON H.), ET AL.<br>OPINION AFFIRMING<br>LAMBERT (PRESIDING JUDGE)<br>COMBS (CONCURS) AND TAYLOR<br>(CONCURS)  | <a href="#">2016-CA-001945-MR</a><br>TO BE PUBLISHED     | BARREN    |
| 524 | HARRIS (CATHY), ET AL.<br>VS.<br>HARRIS (CLIFFORD)<br>OPINION VACATING AND REMANDING<br>WITH DIRECTIONS<br>TAYLOR (PRESIDING JUDGE)<br>K. THOMPSON (CONCURS) AND MAZE<br>(CONCURS IN PART AND DISSENTS IN<br>PART AND FILES SEPARATE OPINION)   | <a href="#">2017-CA-000032-MR</a><br>NOT TO BE PUBLISHED | OWEN      |
| 525 | MESSER (FRED)<br>VS.<br>UNIVERSAL UNDERWRITERS<br>INSURANCE COMPANY<br>OPINION AFFIRMING<br>ACREE (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND SPALDING<br>(CONCURS)  | <a href="#">2017-CA-000293-MR</a><br>TO BE PUBLISHED     | PERRY     |

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| 526 | SMITH (GARY), ET AL.<br>VS.<br>JORDAN (BRIAN J.), ET AL.<br>OPINION AFFIRMING<br>ACREE (PRESIDING JUDGE)<br>COMBS (CONCURS) AND MAZE<br>(CONCURS)                             | <a href="#">2017-CA-000918-MR</a><br>NOT TO BE PUBLISHED                                      | BOONE     |
| 527 | HACKWORTH (SCOTT)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>KRAMER (PRESIDING JUDGE)<br>ACREE (CONCURS) AND GOODWINE<br>(CONCURS)                            | <a href="#">2017-CA-001580-MR</a><br>NOT TO BE PUBLISHED                                      | ELLIOTT   |
| 528 | JONES (MILICENT)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>L. THOMPSON (PRESIDING JUDGE)<br>ACREE (CONCURS) AND NICKELL<br>(CONCURS)                         | <a href="#">2017-CA-001726-MR</a><br>NOT TO BE PUBLISHED                                      | JESSAMINE |
| 529 | SOW (ABOUBAKAR)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>ACREE (CONCURS) AND CLAYTON<br>(CONCURS AND FILES SEPARATE<br>OPINION) | <a href="#">2017-CA-001872-MR</a><br>NOT TO BE PUBLISHED                                      | FAYETTE   |
| 530 | ADDISON (BILLY)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>GOODWINE (PRESIDING JUDGE)<br>JONES (CONCURS) AND NICKELL<br>(CONCURS IN RESULT ONLY)              | <a href="#">2018-CA-000179-MR</a><br>NOT TO BE PUBLISHED                                      | TRIGG     |
| 531 | ENGLAND HILL VOLUNTEER FIRE<br>DISTRICT, INC.<br>VS.<br>CITY OF CATLETTSBURG<br>OPINION AFFIRMING<br>JONES (PRESIDING JUDGE)<br>DIXON (CONCURS) AND LAMBERT<br>(CONCURS)      | <a href="#">2018-CA-000472-MR</a><br><a href="#">2018-CA-000565-MR</a><br>NOT TO BE PUBLISHED | BOYD      |

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| 532 | FISHBURN (KEITH), ET AL.<br>VS.<br>IVES (JOE), ET AL.<br>OPINION AFFIRMING IN PART,<br>REVERSING IN PART, AND REMANDING<br>DIXON (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND<br>L. THOMPSON (CONCURS) | <a href="#">2018-CA-000560-MR</a><br><a href="#">2018-CA-000590-MR</a><br>NOT TO BE PUBLISHED | WARREN           |
| 533 | SLATER FORE CONSULTING, INC.<br>VS.<br>RIFE (LESLIE B.), ET AL.<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>LAMBERT (CONCURS) AND MAZE<br>(CONCURS)  | <a href="#">2018-CA-000647-WC</a><br>NOT TO BE PUBLISHED                                      | WORKERS'<br>COMP |
| 534 | COMMONWEALTH OF KENTUCKY<br>VS.<br>ROBERTSON (WILLIAM BARRY)<br>OPINION AND ORDER OF DISMISSAL<br>JONES (PRESIDING JUDGE)<br>DIXON (CONCURS) AND LAMBERT<br>(CONCURS)                                | <a href="#">2018-CA-000662-MR</a><br>TO BE PUBLISHED  | MARION           |
| 535 | 3 BRIDGES, INC.<br>VS.<br>LUTTRELL (J.W.), ET AL.<br>OPINION AFFIRMING<br>SPALDING (PRESIDING JUDGE)<br>ACREE (CONCURS) AND LAMBERT<br>(CONCURS)   | <a href="#">2018-CA-000752-MR</a><br>NOT TO BE PUBLISHED                                      | FRANKLIN         |
| 536 | SCHALL (DEREK A.)<br>VS.<br>STOVALL (LINDSEY N.)<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>JONES (CONCURS) AND NICKELL<br>(CONCURS)  | <a href="#">2018-CA-000780-ME</a><br>NOT TO BE PUBLISHED                                      | DAVISS           |
| 537 | O'NEAL (CRYSTAL)<br>VS.<br>KROGER LIMITED PARTNERSHIP I,<br>ET AL.<br>OPINION AFFIRMING<br>COMBS (PRESIDING JUDGE)<br>GOODWINE (CONCURS) AND TAYLOR<br>(CONCURS)                                     | <a href="#">2018-CA-000835-MR</a><br>NOT TO BE PUBLISHED                                      | JEFFERSON        |

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| 538 | MARSHALL (AMY), INDIVIDUALLY AND AS MOTHER AND NEXT FRIEND OF K.M. VS. COMPTON (TAMELA), ET AL. OPINION AFFIRMING CLAYTON (PRESIDING JUDGE) COMBS (CONCURS) AND KRAMER (CONCURS) | <a href="#">2018-CA-000899-MR</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 539 | PAULLEY (BEULAH), ET AL. VS. MURPHY (SHELBY L.), ET AL. OPINION AFFIRMING JONES (PRESIDING JUDGE) DIXON (CONCURS) AND LAMBERT (CONCURS)  | <a href="#">2018-CA-001004-MR</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 540 | THE SULLIVAN UNIVERSITY SYSTEM, INC. VS. MCCANN (MARY E.), INDIVIDUALLY, ET AL. OPINION VACATING AND REMANDING LAMBERT (PRESIDING JUDGE) ACREE (CONCURS) AND SPALDING (CONCURS)  | <a href="#">2018-CA-001140-ME</a><br>NOT TO BE PUBLISHED | JEFFERSON |
| 541 | KRISTOFF (RYAN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING KRAMER (PRESIDING JUDGE) ACREE (CONCURS) AND GOODWINE (CONCURS)   | <a href="#">2018-CA-001362-MR</a><br>NOT TO BE PUBLISHED | CHRISTIAN |
| 542 | FULKERSON (CAROLINE ANN) VS. CALVERT (JUSTIN BLAKE) OPINION AFFIRMING IN PART, VACATING IN PART, AND REMANDING JONES (PRESIDING JUDGE) DIXON (CONCURS) AND LAMBERT (CONCURS)     | <a href="#">2018-CA-001425-ME</a><br>NOT TO BE PUBLISHED | GRAYSON   |
| 543 | T. (A. N.) VS. G. (A.), ET AL. OPINION VACATING AND REMANDING GOODWINE (PRESIDING JUDGE) ACREE (CONCURS) AND KRAMER (CONCURS)  | <a href="#">2018-CA-001476-ME</a><br>NOT TO BE PUBLISHED | BULLITT   |

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| 544 | BEVINS (JOHN STEPHEN)<br>VS.<br>ELLIOTT (STACEY)<br>OPINION REVERSING AND ORDER<br>DENYING SANCTIONS<br>COMBS (PRESIDING JUDGE)<br>GOODWINE (CONCURS) AND TAYLOR<br>(CONCURS)                                    | <a href="#">2018-CA-001499-ME</a><br>NOT TO BE PUBLISHED                                      | PIKE             |
| 545 | CALLOWAY COUNTY SHERIFF'S<br>DEPARTMENT<br>VS.<br>WOODALL (KAREN), SPOUSE OF<br>STEVEN SPILLMAN, DECEASED, ET AL.<br>OPINION AFFIRMING<br>SPALDING (PRESIDING JUDGE)<br>ACREE (CONCURS) AND LAMBERT<br>(CONCURS) | <a href="#">2018-CA-001509-WC</a><br><a href="#">2018-CA-001632-WC</a><br>NOT TO BE PUBLISHED | WORKERS'<br>COMP |
| 546 | ZOELLER (DENISE)<br>VS.<br>AMAZON, ET AL.<br>OPINION AFFIRMING<br>DIXON (PRESIDING JUDGE)<br>GOODWINE (CONCURS) AND COMBS<br>(CONCURS IN RESULT AND FILES A<br>SEPARATE OPINION)                                 | <a href="#">2018-CA-001511-WC</a><br>NOT TO BE PUBLISHED                                      | WORKERS'<br>COMP |
| 547 | WILSON (MICHAEL DOUGLAS)<br>VS.<br>HARPER (AMANDA)<br>OPINION AFFIRMING<br>LAMBERT (PRESIDING JUDGE)<br>DIXON (CONCURS) AND K. THOMPSON<br>(CONCURS)   | <a href="#">2018-CA-001893-ME</a><br>NOT TO BE PUBLISHED                                      | JEFFERSON        |

**ORDERS FOR THE WEEK ENDING 06/07/2019:**

**ORDERS DENYING PETITION FOR REHEARING:**

DANNY EMBRY    2016-CA-001047-MR    JEFFERSON  
VS.  
MAC'S CONVENINCE STORES, LLC  
ENTERED: 06/06/2019

COMMONWEALTH OF KENTUCKY,    2016-CA-001140-MR    FRANKLIN  
CABINET FOR HEALTH AND FAMILY SERVICES  
VS.  
APPALACHIAN REGIONAL HEALTHCARE, INC., ET AL.  
ENTERED: 06/05/2019

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VS.  
DORIS ALLEN STONE, ET AL.  
ENTERED: 06/06/2019

**ORDERS FOR THE WEEK ENDING 06/14/2019:**

**ORDERS DISMISSING:**

DAYTON RUCH    2019-CA-000383-OA                                PERRY  
VS.  
HON. ALLISON WELLS, JUDGE PERRY CIRCUIT COURT  
ENTERED: 06/13/2019

DESTIL EUGENE TROXELL                            2019-CA-000422-MR                                LYON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/11/2019

WILLIAM BROOKS                                      2019-CA-000451-OA                                GRAYSON  
VS.  
HON. BRUCE BUTLER, JUDGE GRAYSON CIRCUIT COURT  
ENTERED: 06/13/2019

SUSAN BLOOD                                        2019-CA-000478-MR                                BATH  
VS.  
DISCOVER BANK  
ENTERED: 06/13/2019

DAMIAN J. RICO, ET AL.                            2019-CA-000616-MR                                CARROLL  
VS.  
WILLIAM PATRICK HILL  
ENTERED: 06/13/2019

**ORDERS DENYING PETITION REHEARING:**

GARY ROBINSON                                      2017-CA-000507-MR                                LEWIS  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

TROY BENNETT                                        2017-CA-001117-MR                                MEADE  
VS.  
GLENN BENNETT, INDIVIDUALLY AND AS CONSERVATOR  
ENTERED: 06/10/2019

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VS.  
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ENTERED: 06/10/2019

**ORDER AFFIRMING:**

BRANDON P. SMITH 2019-CA-000677-MR LIVINGSTON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

**ORDERS DENYING PETITION FOR WRIT OF MANDAMUS AND PROHIBITION:**

HENRY CRAWFORD 2019-CA-000417-OA JEFFERSON  
VS.  
HON. BARRY WILLETT, JUDGE, ET AL.  
ENTERED: 06/13/2019

SPLASH, INC., ET AL. 2019-CA-000552-OA ADAIR  
VS.  
HON. JUDY VANCE MURPHY, JUDGE, ET AL.  
ENTERED: 06/13/2019

THE UNTIED AUTO GROUP, INC. 2019-CA-000619-OA FAYETTE  
VS.  
HON. ERNESTO SCORSONE, JUDGE, ET AL.  
ENTERED: 06/11/2019

**ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:**

KEENA GRIFFIN 2017-CA-000633-DR MASON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

BARRY RAMSEY 2017-CA-000873-DR GRAYSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

JOSHUA O'BRYAN 2018-CA-000358-DR WASHINGTON  
VS.  
COMMONWEALTH OF KENTUCKY  
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COMMONWEALTH OF KENTUCKY  
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2018-CA-001116-DR

CARROLL

**ORDER DENYING MOTION FOR BELATED APPEAL:**

KEVIN HIGGINS  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

2018-CA-001331-MR

LINCOLN

ROBERT LAMONT MIZE  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/13/2019

2019-CA-000432-MR

JEFFERSON

**ORDERS FOR THE WEEK ENDING 06/21/2019:**

**ORDER MODIFYING OPINION:**

BILLY ADDISON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/21/2019

2018-CA-000179-MR

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**ORDERS DENYING PETITION FOR REHEARING:**

GARY VANDER BOEGH, ET AL.  
VS.  
BANK OF OKLAHOMA, N.A., ET AL.  
ENTERED: 06/18/2019

2017-CA-000294-MR

MCCRACKEN

LARRY WILLIAMSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 06/18/2019

2017-CA-000832-MR

GALLATIN

JANET A. DAVIS,  
ADMINISTRATRIX FOR ESTATE OF ANTHONY DEWAYNE DAVIS, DECEASED  
VS.  
RONALD L. BISHOP  
ENTERED: 06/17/2019

2018-CA-000264-MR

FAYETTE