

# COURT OF APPEALS OF KENTUCKY

06/24/2005 AT 10:00 A.M.

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| 694 | AK STEEL CORPORATION<br>VS.<br>CHILDERS (CARL E.), ET AL.<br>OPINION REVERSING AND REMANDING<br>JOHNSON (PRESIDING JUDGE)<br>MCANULTY (CONCURS) AND HUDDLESTON<br>(CONCURS)   | 2002-CA-2511-WC<br>TO BE PUBLISHED     | WORKERS<br>COMPENSATION<br>BOARD |
| 695 | LUDWICK (JAMES RAY)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>JOHNSON (PRESIDING JUDGE)<br>BARBER (CONCURS) AND HENRY<br>(CONCURS)   | 2003-CA-1621-MR<br>NOT TO BE PUBLISHED | TAYLOR                           |
| 696 | BOLLING (BILLIE JEAN)<br>VS.<br>KENTUCKY RETIREMENT SYSTEMS, ET<br>AL.<br>OPINION VACATING AND REMANDING<br>JOHNSON (PRESIDING JUDGE)<br>BARBER (CONCURS) AND HENRY<br>(CONCURS)  | 2003-CA-1806-MR<br>NOT TO BE PUBLISHED | FRANKLIN                         |
| 697 | STEEL TECHNOLOGIES, INC.<br>VS.<br>CONGELTON (JASON LYNN), ET AL.<br>OPINION AFFIRMING<br>HUDDLESTON (PRESIDING JUDGE)<br>MINTON (CONCURS IN PART AND<br>DISSENTS IN PART BY SEPARATE<br>OPINION) AND TACKETT (CONCURS) | 2003-CA-2090-MR<br>TO BE PUBLISHED     | GALLATIN                         |
| 698 | DAVIS (EMORY M.), ET AL.<br>VS.<br>STOCKYARDS BANK & TRUST COMPANY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>KNOPF (CONCURS) AND VANMETER<br>(CONCURS)  | 2003-CA-2502-MR<br>NOT TO BE PUBLISHED | JEFFERSON                        |
| 699 | ALVEY (ROBERT)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>GUIDUGLI (PRESIDING JUDGE)<br>JOHNSON (CONCURS) AND MCANULTY<br>(CONCURS IN RESULT ONLY)  | 2004-CA-0199-MR<br>NOT TO BE PUBLISHED | JEFFERSON                        |

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| 700 | LYNN (RANDA)<br>VS.<br>GRANT (KENNETH DEWAYNE)<br>OPINION REVERSING AND REMANDING<br>HUDDLESTON (PRESIDING JUDGE)<br>BARBER (CONCURS) AND SCHRODER<br>(CONCURS) | 2004-CA-0298-ME<br>NOT TO BE PUBLISHED | CHRISTIAN |
| 701 | JACKSON (DONNELL ANTOINE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>GUIDUGLI (CONCURS) AND EMBERTON<br>(CONCURS)   | 2004-CA-0368-MR<br>NOT TO BE PUBLISHED | MCCRACKEN |
| 702 | CENTURY SURETY COMPANY<br>VS.<br>CONTINENTAL CASUALTY COMPANY<br>OPINION AFFIRMING<br>GUIDUGLI (PRESIDING JUDGE)<br>TAYLOR (CONCURS) AND EMBERTON<br>(CONCURS)  | 2004-CA-0423-MR<br>NOT TO BE PUBLISHED | WARREN    |
| 703 | EDWARDS (SAMUEL C.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>MINTON (PRESIDING JUDGE)<br>GUIDUGLI (CONCURS) AND MCANULTY<br>(CONCURS)         | 2004-CA-0457-MR<br>NOT TO BE PUBLISHED | ADAIR     |
| 704 | HINES (WILLIE RAY)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>GUIDUGLI (CONCURS) AND EMBERTON<br>(CONCURS)          | 2004-CA-0545-MR<br>NOT TO BE PUBLISHED | LOGAN     |
| 705 | DENTON (TERESA ELLEN)<br>VS.<br>DENTON (WILLIAM BRIAN)<br>OPINION AFFIRMING<br>JOHNSON (PRESIDING JUDGE)<br>MCANULTY (CONCURS) AND HUDDLESTON<br>(CONCURS)      | 2004-CA-0619-MR<br>NOT TO BE PUBLISHED | HENDERSON |

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| 706 | BRACK (RITCHIE)<br>VS.<br>BRACK (NELDA)<br>OPINION AND ORDER AFFIRMING AND<br>DENYING COSTS AND ATTORNEY FEES<br>SCHRODER (PRESIDING JUDGE)<br>BARBER (CONCURS) AND HUDDLESTON<br>(CONCURS) | 2004-CA-0689-MR<br>NOT TO BE PUBLISHED | BALLARD    |
| 707 | WRIGHT (KRISTY), NOW FISHER<br>VS.<br>WALTERS (TRAVIS)<br>OPINION VACATING AND REMANDING<br>VANMETER (PRESIDING JUDGE)<br>KNOPF (DISSENTS) AND TAYLOR<br>(CONCURS)                          | 2004-CA-0804-ME<br>NOT TO BE PUBLISHED | BOONE      |
| 708 | LEACHMAN, JR. (BERNARD)<br>VS.<br>GEICO INSURANCE CO., ET AL.<br>OPINION AND ORDER REVERSING AND<br>REMANDING<br>TAYLOR (PRESIDING JUDGE)<br>BUCKINGHAM (CONCURS) AND KNOPF<br>(CONCURS)    | 2004-CA-0845-MR<br>NOT TO BE PUBLISHED | JEFFERSON  |
| 709 | ROBINSON (MICHAEL D.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>GUIDUGLI (PRESIDING JUDGE)<br>MINTON (CONCURS) AND EMBERTON<br>(CONCURS)                                   | 2004-CA-0871-MR<br>NOT TO BE PUBLISHED | MUHLENBERG |
| 710 | HARPER (DUANE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>HENRY (PRESIDING JUDGE)<br>SCHRODER (CONCURS) AND EMBERTON<br>(CONCURS)   | 2004-CA-1013-MR<br>NOT TO BE PUBLISHED | LYON       |
| 711 | RUSHING (BOBBY WAYNE)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>TAYLOR (PRESIDING JUDGE)<br>KNOPF (CONCURS) AND VANMETER<br>(CONCURS)                                      | 2004-CA-1153-MR<br>NOT TO BE PUBLISHED | HENDERSON  |

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| 712 | Z.A.<br>VS.<br>CITY OF LOUISVILLE<br>OPINION AFFIRMING<br>GUIDUGLI (PRESIDING JUDGE)<br>MINTON (CONCURS) AND EMBERTON<br>(CONCURS)                                | 2004-CA-1189-MR<br>NOT TO BE PUBLISHED | JEFFERSON                        |
| 713 | MITCHELL (ERIC), ET AL.<br>VS.<br>ALLSTATE INSURANCE COMPANY<br>OPINION AFFIRMING<br>KNOPF (PRESIDING JUDGE)<br>TAYLOR (CONCURS) AND VANMETER<br>(CONCURS)        | 2004-CA-1277-MR<br>TO BE PUBLISHED     | HARRISON                         |
| 714 | KELLY (MELINDA HUFF)<br>VS.<br>KELLY (BRADFORD STEVEN)<br>OPINION VACATING AND REMANDING<br>GUIDUGLI (PRESIDING JUDGE)<br>COMBS (CONCURS) AND MILLER<br>(CONCURS) | 2004-CA-1406-MR<br>NOT TO BE PUBLISHED | FAYETTE                          |
| 715 | BENNETT (BENJAMIN)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>GUIDUGLI (PRESIDING JUDGE)<br>JOHNSON (CONCURS) AND MCANULTY<br>(CONCURS)           | 2004-CA-1556-MR<br>NOT TO BE PUBLISHED | JEFFERSON                        |
| 716 | SKINNER (GARY)<br>VS.<br>HALE CONTRACTING, INC., ET AL.<br>OPINION AFFIRMING<br>JOHNSON (PRESIDING JUDGE)<br>MCANULTY (CONCURS) AND HUDDLESTON<br>(CONCURS)       | 2004-CA-1677-WC<br>NOT TO BE PUBLISHED | WORKERS<br>COMPENSATION<br>BOARD |
| 717 | GARNER (AARON J.)<br>VS.<br>COMMONWEALTH OF KENTUCKY<br>OPINION AFFIRMING<br>MINTON (PRESIDING JUDGE)<br>GUIDUGLI (CONCURS) AND EMBERTON<br>(CONCURS)             | 2004-CA-1820-MR<br>NOT TO BE PUBLISHED | MUHLENBERG                       |



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ORDERS DISMISSING:

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| BROCK (CARLOS)<br>VS.<br>HALL (HAZEL)<br>ENTERED: 6/21/05                       | 2004-CA-1359-MR<br>2004-CA-1403-MR | PIKE      |
| BUSH (PHILLIP)<br>VS.<br>BUSH (DEBBIE T.), NOW COMBEST<br>ENTERED: 6/20/05      | 2004-CA-0716-MR                    | BARREN    |
| WIERZBICKI (DENNIS)<br>VS.<br>RADIO SOUND, INC.<br>ENTERED: 6/20/05             | 2004-CA-1169-MR                    | JEFFERSON |
| WOODALL (KAREN)<br>VS.<br>HEADY (RONNIE)<br>ENTERED: 6/20/05                    | 2004-CA-1700-MR                    | MCCRACKEN |
| STANG (AMY)<br>VS.<br>STANG (JAMES RONALD)<br>ENTERED: 6/20/05                  | 2004-CA-2179-MR<br>2004-CA-2318-MR | GREENUP   |
| JESSIE (WILLIE RAY)<br>VS.<br>JESSIE (CAROLYN NOEL)<br>ENTERED: 6/20/05         | 2004-CA-2459-MR                    | CARTER    |
| GROT, INC.<br>VS.<br>FAYETTE COUNTY PUBLIC SCHOOLS<br>ENTERED: 6/21/05          | 2004-CA-2548-MR                    | FAYETTE   |
| CHAPMAN (BEVERLY)<br>VS.<br>FOUNTAIN INN, ET AL.<br>ENTERED: 6/20/05            | 2004-CA-2607-MR                    | GRANT     |
| SANGER (TAMI LYNN)<br>VS.<br>SANGER, III (ROBERT HENRY)<br>ENTERED: 6/20/05     | 2005-CA-0390-MR                    | FULTON    |
| NEWPORT ON THE LEVEE, LLC, ET AL.<br>VS.<br>JONES (MICHAEL)<br>ENTERED: 6/20/05 | 2005-CA-0507-MR                    | CAMPELL   |

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ORDERS DISMISSING (CONTINUED):

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| GERSTLE (THERESA)<br>VS<br>KENTUCKY REALTY CORPORATION, ET<br>AL.<br>ENTERED: 6/23/05 | 2005-CA-0559-MR | JEFFERSON                        |
| OAKES (JULIE GRIFFIN)<br>VS.<br>WOODBIDGE ACADEMY, INC.<br>ENTERED: 6/20/05           | 2005-CA-0717-MR | FAYETTE                          |
| SOUTHARD (TOMMY)<br>VS.<br>RENFRO (BREANNA), ET AL.<br>ENTERED: 6/23/05               | 2005-CA-0748-MR | HARDIN                           |
| SPURLOCK (CHARLES T.)<br>VS.<br>MANCHESTER HOST, LLC.<br>ENTERED: 6/20/05             | 2005-CA-0808-WC | WORKERS<br>COMPENSATION<br>BOARD |

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ORDERS FROM PREVIOUS WEEK ENDING JUNE 17, 2005:

ORDERS AFFIRMING:

|  |                 |        |
|--|-----------------|--------|
| PRATHER (TONY M.)<br>VS.<br>HAEBERLIN (GLENN), WARDEN<br>ENTERED: 6/16/05    | 2005-CA-0475-MR | LYON   |
| SMITH (DAMON L.)<br>VS.<br>SIMPSON (THOMAS), WARDEN<br>ENTERED: 6/16/05      | 2005-CA-0856-MR | LYON   |
| ALEA (JACTA EST)<br>VS.<br>HAEBERLIN (GLENN), WARDEN<br>ENTERED: 6/16/05     | 2005-CA-0858-MR | LYON   |
| LONG (ELBERT PHILLIP)<br>VS.<br>CHANDLER (LARRY), WARDEN<br>ENTERED: 6/16/05 | 2005-CA-0977-MR | OLDHAM |

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ORDER DENYING MOTION FOR ADDITIONAL TIME TO FILE A MOTION FOR DISCRETIONARY REVIEW:

REEVES (BRENTON M.) 2005-CA-0766-DR HARDIN  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 6/16/05

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ORDER DENYING PETITION FOR REHEARING:

BECK, JR. (JOSEPH L.) 2004-CA-0515-MR SHELBY  
VS.  
CHAPMAN (CECIL), ET AL.  
ENTERED: 6/16/05

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ORDER DENYING DISCRETIONARY REVIEW:

WILLETT (ROBERT KEVIN) 2004-CA-2215-DR NELSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 6/16/05

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ORDERS DISMISSING:

TAX SERVICES OF AMERICA, INC. 2004-CA-1105-MR JEFFERSON  
VS.  
BORN FREE, INC.  
ENTERED: 6/16/05

TAYLOR (CHAD) 2004-CA-1210-MR FAYETTE  
VS.  
BAYLOUS (REBECCA)  
ENTERED: 6/16/05

NELSON (KIM) 2004-CA-1555-MR JEFFERSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 6/16/05

BROWNS LAYNE CONDOMINIUM 2004-CA-2455-MR JEFFERSON  
ASSOCIATION 2005-CA-0002-MR  
VS.  
DUPONT SHERWOOD CONDOMINIUM  
ASSOCIATION, INC.  
ENTERED: 6/16/05

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ORDERS DISMISSING (CONTINUED):



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WEBSTER (DEITRICH)

2005-CA-0545-MR

CALDWELL

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 6/16/05

LONG (MICHAEL WAYNE)

2005-CA-0685-MR

LOGAN

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 6/16/05

HEALTH SYSTEMS, INC.

2005-CA-0726-WC

WORKERS

VS.

COMPENSATION

GRUBB (VICKIE), ET AL.

BOARD

ENTERED: 6/16/05