

COURT OF APPEALS OF KENTUCKY

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879	CLARK (GALEN L.), ET AL. VS. LANDERS (ROBERT), ET AL. OPINION AFFIRMING KNOPF (PRESIDING JUDGE) TACKETT (CONCURS) AND ROSENBLUM (CONCURS)	2003-CA-1550-MR NOT TO BE PUBLISHED	JEFFERSON
880	MAXX PARTS AND EQUIPMENT-KENTUCKY, INC. VS. MSD MINING COMPANY, INC., ET AL. OPINION REVERSING AND REMANDING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND EMBERTON (CONCURS)	2003-CA-2189-MR NOT TO BE PUBLISHED	KNOX
881	NEWMAN (RHONDA GAIL) VS. ROGERS (LARMAN) OPINION REVERSING AND REMANDING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND HUDDLESTON (CONCURS)	2003-CA-2723-MR NOT TO BE PUBLISHED	FLOYD
882	MEENACH (BILLY JOE) VS. DENLINGER (ROBERT), ET AL. OPINION REVERSING AND REMANDING TACKETT (PRESIDING JUDGE) DYCHE (CONCURS) AND HENRY (CONCURS)	2004-CA-0012-MR NOT TO BE PUBLISHED	GREENUP
883	COTTRELL (JOHN) VS. CITY OF HILLVIEW, ET AL. OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) JOHNSON (CONCURS IN RESULT ONLY) AND MCANULTY (CONCURS IN RESULT ONLY)	2004-CA-0327-MR NOT TO BE PUBLISHED	BULLITT
884	MID-STATE SURETY CORPORATION VS. LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT OPINION AFFIRMING BARBER (PRESIDING JUDGE) JOHNSON (CONCURS) AND MILLER (CONCURS)	2004-CA-0377-MR NOT TO BE PUBLISHED	JEFFERSON

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885	GRIPSHOVER (DARLENE) VS. GRIPSHOVER (GEORGE HENRY) OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING COMBS (PRESIDING JUDGE) HENRY (CONCURS) AND TACKETT (CONCURS)	2004-CA-0578-MR 2004-CA-0599-MR TO BE PUBLISHED	BOONE
886	FRAILEY, JR. (LOWELL) VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING TAYLOR (PRESIDING JUDGE) KNOPF (CONCURS) AND VANMETER (CONCURS) ***PRIOR OPINION ENTERED JUNE 10, 2005 WITHDRAWN AND REISSUED***	2004-CA-0608-MR NOT TO BE PUBLISHED	ROWAN
887	SMIDDY (LARRY) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING HUDDLESTON (PRESIDING JUDGE) TACKETT (CONCURS) AND TAYLOR (CONCURS)	2004-CA-0706-MR NOT TO BE PUBLISHED	GRAYSON
888	EHLSCHIDE (CHARLES R.), ET AL. VS. COLONIAL LIFE & ACCIDENT INSURANCE COMPANY OPINION AFFIRMING KNOPF (PRESIDING JUDGE) COMBS (CONCURS) AND BUCKINGHAM (CONCURS)	2004-CA-0836-MR NOT TO BE PUBLISHED	MUHLENBERG
889	MORROW (RICHARD T.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) TACKETT (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-0856-MR NOT TO BE PUBLISHED	PULASKI
890	CREECH (CARLOS) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MINTON (PRESIDING JUDGE) SCHRODER (CONCURS) AND EMBERTON (CONCURS)	2004-CA-0910-MR NOT TO BE PUBLISHED	JACKSON

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891	FRYMAN (JEFFREY), ET AL. VS. MASTERS (CHARLES) OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DYCHE (CONCURS IN RESULT ONLY) AND SCHRODER (CONCURS)	2004-CA-0932-MR NOT TO BE PUBLISHED	FLEMING
892	WILLIAMS (GEORGE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) KNOPF (CONCURS) AND TAYLOR (CONCURS IN RESULT BUT WILL NOT FURNISH SEPARATE OPINION)	2004-CA-0992-MR NOT TO BE PUBLISHED	PIKE
893	HOUSE (BARTON) VS. INDIGO BISTRO & BAR, ET AL. OPINION AFFIRMING HENRY (PRESIDING JUDGE) SCHRODER (CONCURS) AND EMBERTON (CONCURS)	2004-CA-1101-WC 2004-CA-1236-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
894	GOLDSBERRY (HOUSTON DALE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING TACKETT (PRESIDING JUDGE) TAYLOR (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-1152-MR NOT TO BE PUBLISHED	HENDERSON
895	TAYLOR, JR. (FRED) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING BARBER (PRESIDING JUDGE) JOHNSON (CONCURS) AND MILLER (CONCURS)	2004-CA-1269-MR NOT TO BE PUBLISHED	JEFFERSON
896	JUSTICE (BEATRICE B.) VS. JAMES (HOWARD), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) DYCHE (CONCURS) AND SCHRODER (CONCURS)	2004-CA-1360-MR NOT TO BE PUBLISHED	PIKE

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897	HALL (ROSELLA) VS. HALL (BOBBY JACK) OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING MINTON (PRESIDING JUDGE) SCHRODER (CONCURS) AND EMBERTON (CONCURS)	2004-CA-1446-MR NOT TO BE PUBLISHED	ESTILL
898	FOSTER (BRYAN STACY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND EMBERTON (CONCURS)	2004-CA-1473-MR NOT TO BE PUBLISHED	PULASKI
899	BLACKBURN (INDIVIDUALLY) (NINA), ET AL. VS. LODESTAR ENERGY, INC, ET AL. OPINION AFFIRMING HENRY (PRESIDING JUDGE) DYCHE (CONCURS) AND TACKETT (CONCURS)	2004-CA-1652-WC 2004-CA-1687-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
900	SMITH (CARLTON) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MILLER (PRESIDING JUDGE) HENRY (CONCURS) AND VANMETER (CONCURS)	2004-CA-1743-MR NOT TO BE PUBLISHED	HOPKINS
901	CLARK (DAVID) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND TAYLOR (CONCURS)	2004-CA-1848-MR NOT TO BE PUBLISHED	ESTILL
902	CARNES, JR. (DOYLE) VS. PARTON BROTHERS CONTRACTING, INC., ET AL. OPINION REVERSING AND REMANDING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND HUDDLESTON (CONCURS)	2004-CA-2267-WC TO BE PUBLISHED	WORKERS COMPENSATION BOARD

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903	DAUGHERTY (DERRICK) VS. MORGAN (JAMES L.) OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) TACKETT (CONCURS) AND TAYLOR (CONCURS)	2004-CA-2319-MR NOT TO BE PUBLISHED	BOYLE
904	SELLARDS (PHYLLIS), ET AL. VS. LOWE (JERRY), ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND EMBERTON (CONCURS)	2004-CA-2435-MR NOT TO BE PUBLISHED	FLOYD
905	SHOEMAKER (CHARLES) VS. IRVING MATERIALS, INC., ET AL. OPINION AFFIRMING HENRY (PRESIDING JUDGE) MCANULTY (CONCURS) AND MINTON (CONCURS)	2005-CA-0042-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
906	HUTCHINS (JOSEPH K.) VS. SUMMA TECHNOLOGY/KEN-MAR, ET AL. OPINION AFFIRMING AND REMANDING KNOPF (PRESIDING JUDGE) COMBS (CONCURS) AND BUCKINGHAM (CONCURS)	2005-CA-0127-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
907	GARNER (NOW ROBBINS) (LYNN M.) VS. GARNER (DAVID M.), ET AL. OPINION AFFIRMING DYCHE (PRESIDING JUDGE) COMBS (CONCURS) AND SCHRODER (CONCURS)	2005-CA-0167-ME NOT TO BE PUBLISHED	CAMPBELL
908	AK STEEL CORPORATION VS. HANDLEY (WILLIAM), ET AL. OPINION AFFIRMING HUDDLESTON (PRESIDING JUDGE) TACKETT (CONCURS) AND TAYLOR (CONCURS)	2005-CA-0225-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

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909	GASKINS (MICHAEL) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING MILLER (PRESIDING JUDGE) HENRY (CONCURS) AND VANMETER (CONCURS)	2005-CA-0284-MR NOT TO BE PUBLISHED	TAYLOR
910	DIXON (RICKY) VS. DON AMBURGEY PLUMBING, ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) MINTON (CONCURS) AND EMBERTON (CONCURS)	2005-CA-0620-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD

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ORDERS AFFIRMING:

DUCKWORTH (JEREMY) 2005-CA-1193-MR LYON
VS.
HAEBERLIN (GLENN)
ENTERED: 8/16/05

TEAGUE (JA-RON S.) 2005-CA-1294-MR OLDHAM
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/15/05

BEDELL (DAVID RANDOLPH) 2005-CA-1476-MR JEFFERSON
VS.
LESOUSKY, JR. (JAMES R.), ET AL.
ENTERED: 8/15/05

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ORDER DENYING PETITION FOR REHEARING AND ORDER ON COURT'S OWN MOTION
WITHDRAWING AND REISSUING OPINION ORIGINALLY RENDERED ON JUNE 10,
2005:

FRAILEY (LOWELL) 2004-CA-0608-MR ROWAN
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/19/05

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ORDER MODIFYING OPINION RENDERED ON AUGUST 5, 2005. THE ATTACHED
OPINION IS SUBSTITUTED IN ITS ENTIRETY:

CRAIG (TROY GENE) 2004-CA-1108-MR TRIMBLE
VS.
CRAIG (TERESA A.)
ENTERED: 8/19/05

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ORDER DISMISSING:

PEARSON (ANTOINE) 2004-CA-0892-MR OLDHAM
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/15/05

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ORDERS FROM PREVIOUS WEEK ENDING AUGUST 12, 2005:
ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW:

CRANK (MARK) 2005-CA-1121-DR CAMPBELL
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/12/05

SHELTON (JIMMY E.) 2005-CA-1122-D UNION
VS.
PARRISH (KEVIN), ADMINISTRATOR OF
THE ESTATE OF VERLON SHELTON
ENTERED: 8/12/05

NEIKIRK (RICHARD) 2005-CA-1201-DR BOYLE
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/12/05

HENDRICKSON (TROY) 2005-CA-1202-DR NELSON
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/12/05

GARCIA (JUAN CARLOS) 2005-CA-1278-D FAYETTE
VS.
COMMONWEALTH OF KENTUCKY
ENTERED: 8/11/05

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION:

HADLEY (ADRIAN D.) 2005-CA-1472-OA IN COURT OF
VS. APPEALS
HON. JAMES G. WEDDLE, JUDGE
ADAIR CIRCUIT COURT, ET AL.
ENTERED: 8/12/05

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ORDERS DENYING PETITION FOR WRIT OF MANDAMUS:

COLLINS (CARL EDWARD) 2005-CA-0941-OA IN COURT OF
VS. APPEALS
HON. RON JOHNSON, JUDGE
HARLAN CIRCUIT COURT, ET AL.
ENTERED: 8/12/05

WALKER (WILLIAM B.) 2005-CA-1257-OA IN COURT OF
VS. APPEALS
HON. KAREN A. CONRAD, JUDGE
OLDHAM CIRCUIT COURT, ET AL.
ENTERED: 8/12/05

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ORDER DENYING MOTION FOR INTERLOCUTORY RELIEF:

HAYNES (CHERYL) 2005-CA-1258-I JEFFERSON
VS.
MEIJER STORES LIMITED PARTNERSHIP,
ET AL.
ENTERED: 8/12/05

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ORDER GRANTING MOTION FOR CR 65.07 RELIEF:

NASH (WILLIAM) 2005-CA-1377-I FAYETTE
VS.
ELLINGSWORTH (BECKY)
ENTERED: 8/12/05

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ORDERS DISMISSING:

AIR RELIEF, INC. 2004-CA-1478-MR GRAVES
VS. 2004-CA-2038-MR
RICHARDSON (DAVID EARL)
ENTERED: 8/12/05

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ORDERS DISMISSING (CONTINUED):

ASHER (FLORA D.), ADMINISTRATRIX OF THE ESTATE OF JAMES EDGAR ASHER, DECEASED VS. ASHER (ZANDRA COLLETT) ENTERED: 8/12/05	2004-CA-1621-MR	BELL
BAKER (BOBBY) VS. BAKER (JENNIFER KAY) ENTERED: 8/12/05	2004-CA-1771-MR	JACKSON
JACKSON (DONALD RAY) VS. COMMONWEALTH OF KENTUCKY ENTERED: 8/11/05	2004-CA-2313-MR	BRACKEN
MONIN (JOSEPH E.) VS. MONIN (CHARLES) ENTERED: 8/11/05	2004-CA-2344-MR	NELSON
LOWDER (ELIZABETH D.), ET AL. VS. FAMILY DENTAL CARE ASSOCIATES, P.S.C., ET AL. ENTERED: 8/12/05	2004-CA-2522-MR	BOONE
HOPPER (JOEL) VS. HOPPER (TOMI CAMPBELL) ENTERED: 8/11/05	2004-CA-2544-MR	HENDERSON
GRIFFITH (ROBERT WOODROW) VS. GRIFFITH (REENA LYNN) ENTERED: 8/11/05	2005-CA-0044-MR	GRAYSON
DYSARZ (THOMAS JOHN) VS. MEEHAN (MICHAEL TAYLOR) ENTERED: 8/11/05	2005-CA-0070-ME	FAYETTE
GIPSON (KERNIE) VS. COMMONWEALTH OF KENTUCKY, CABINET FOR FAMILIES AND CHILDREN, ET AL. ENTERED: 8/12/05	2005-CA-0422-ME	MAGOFFIN

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ORDERS DISMISSING (CONTINUED):

SANDERS (MARTHA) VS. BAPTIST HEALTHCARE AFFILIATES, INC., D/B/A TRI-COUNTY BAPTIST HOSPITAL, ET AL. ENTERED: 8/11/05	2005-CA-0684-MR	OLDHAM
LACER (KEVIN MARSHALL) VS. LACER (PAMELA LYNN) ENTERED: 8/12/05	2005-CA-0718-MR	GREEN
NAZARIO (STACY), ET AL. VS. SHAW (DOROTHY), AS EXECUTRIX OF THE ESTATE OF DENNIS SHAW ENTERED: 8/12/05	2005-CA-0761-MR	JEFFERSON
ADS MANAGEMENT, LLC, ET AL. VS. ADVANCE DISTRIBUTION SERVICES, INC., ET AL. ENTERED: 8/11/05	2005-CA-0898-MR	JEFFERSON
NAVE (LEONARD K.), ET AL. VS. RUDDER (DAVID), ET AL. ENTERED: 8/11/05	2005-CA-0933-MR	LAUREL
PROSOURCE ROOFING I, LLC VS. COOK (DEWEY L.) ENTERED: 8/11/05	2005-CA-1074-MR	JEFFERSON
SHUGART (MICHAEL K.) VS. COLLINS (CARLA), ET AL. ENTERED: 8/11/05	2005-CA-1077-MR	JEFFERSON