

**COURT OF APPEALS OF KENTUCKY**

12/22/2005 AT 10:00 A.M.

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3046	C. E. PENNINGTON COMPANY VS. B & H ELECTRICAL CONTRACTORS, INC., ET AL. OPINION AFFIRMING PER CURIAM	2001-CA-1242-MR 2001-CA-1243-MR NOT TO BE PUBLISHED	FRANKLIN
3047	H & R MECHANICAL CONTRACTORS, INC. VS. CODELL CONSTRUCTION COMPANY, ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) MCANULTY (CONCURS) AND POTTER (DISSENTS AND FILES SEPARATE OPINION)	2002-CA-0862-MR NOT TO BE PUBLISHED	KNOX
3048	W. (R.) VS. COMMONWEALTH OF KENTUCKY CABINET FOR FAMILIES AND CHILDREN, ET AL. OPINION AFFIRMING MINTON (PRESIDING JUDGE) BARBER (CONCURS) AND TACKETT (CONCURS)	2003-CA-2089-ME NOT TO BE PUBLISHED	JESSAMINE
3049	KNOCHELMANN, JR. CARL E.) VS. BJELLAND (MARY E.), ET AL. OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING TACKETT (PRESIDING JUDGE) DYCHE (CONCURS) AND KNOPF (CONCURS)	2003-CA-2258-MR 2003-CA-2308-MR NOT TO BE PUBLISHED	CAMPBELL
3050	LAWSON (DARRELL TYRONE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING GUIDUGLI (PRESIDING JUDGE) MINTON (CONCURS IN RESULT ONLY AND FILES SEPARATE OPINION) AND TAYLOR (CONCURS IN RESULT ONLY)	2003-CA-2269-MR 2004-CA-0286-MR NOT TO BE PUBLISHED	WHITLEY
3051	REED (EMMA LOU), ET AL. VS. REED (BRODERICK GLENN) OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND MILLER (CONCURS)	2003-CA-2699-MR NOT TO BE PUBLISHED	JEFFERSON

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3052	CALDWELL (GARY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DYCHE (PRESIDING JUDGE) KNOPF (CONCURS) AND TACKETT (CONCURS)	2004-CA-0989-MR 2004-CA-1480-MR NOT TO BE PUBLISHED	UNION
3053	GILLUM (JIMMY) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) TAYLOR (CONCURS) AND POTTER (CONCURS)	2004-CA-1016-MR NOT TO BE PUBLISHED	GREENUP
3054	CECIL (JAMES) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING VANMETER (PRESIDING JUDGE) HENRY (CONCURS) AND MILLER (CONCURS)	2004-CA-1433-MR NOT TO BE PUBLISHED	HARDIN
3055	WEBB (PATTI), ET AL. VS. MALLORY (JAMES) OPINION REVERSING AND REMANDING DYCHE (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2004-CA-1585-MR NOT TO BE PUBLISHED	MUHLENBERG
3056	RITZERT COMPANY, INC. VS. WEDDLE BROTHERS CONSTRUCTION COMPANY, INC. OPINION AFFIRMING DYCHE (PRESIDING JUDGE) SCHRODER (CONCURS) AND ROSENBLUM (CONCURS)	2004-CA-1629-MR NOT TO BE PUBLISHED	HENDERSON
3057	HUME (ARVIN) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING VANMETER (PRESIDING JUDGE) TAYLOR (CONCURS) AND POTTER (CONCURS)	2004-CA-1634-MR NOT TO BE PUBLISHED	MONROE

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3058	GRAHAM (BRENDA), ET AL. VS. ESTATE OF WILLIAM LEON OWENS, ET AL. OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2004-CA-1849-MR TO BE PUBLISHED	NELSON
3059	HALVORSON (JASON) VS. COMMONWEALTH OF KENTUCKY OPINION REVERSING AND REMANDING TAYLOR (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-1911-MR NOT TO BE PUBLISHED	JEFFERSON
3060	JONES (NORMAN EDWIN) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) DYCHE (CONCURS) AND ROSENBLUM (CONCURS)	2004-CA-1952-MR NOT TO BE PUBLISHED	HOPKINS
3061	HOLLAND (CASSANDRA HILL), ET AL. VS. COMMONWEALTH OF KENTUCKY OPINION VACATING AND REMANDING MCANULTY (PRESIDING JUDGE) BUCKINGHAM (DISSENTS AND FILES SEPARATE OPINION) AND PAISLEY (CONCURS)	2004-CA-1986-MR NOT TO BE PUBLISHED	MCCRACKEN
3062	STRANGE (JEWELL L.) VS. ALBERT KAHN ASSOCIATES, INC., ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2004-CA-2204-MR NOT TO BE PUBLISHED	JEFFERSON
3063	MAFFETT (WILLIE G.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING DYCHE (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2004-CA-2249-MR NOT TO BE PUBLISHED	HENDERSON

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3064	ROUSE (BRENNAN J.) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING IN PART, VACATING IN PART AND REMANDING KNOPF (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND MCANULTY (CONCURS)	2004-CA-2461-MR NOT TO BE PUBLISHED	MCCRACKEN
3065	LOWE (LESTER) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING HENRY (PRESIDING JUDGE) VANMETER (CONCURS) AND MILLER (CONCURS)	2004-CA-2476-MR NOT TO BE PUBLISHED	TAYLOR
3066	BARGAINS GALORE, INC. VS. CITY OF LOUISVILLE OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2004-CA-2491-MR NOT TO BE PUBLISHED	JEFFERSON
3067	EUBANKS (TYRONE) VS. COMMONWEALTH OF KENTUCKY OPINION AFFIRMING DYCHE (PRESIDING JUDGE) SCHRODER (CONCURS) AND ROSENBLUM (CONCURS)	2004-CA-2610-MR NOT TO BE PUBLISHED	SIMPSON
3068	RIDLEY (JOHN W.) VS. RIDLEY (ROIANN) OPINION AFFIRMING GUIDUGLI (PRESIDING JUDGE) KNOPF (CONCURS) AND MCANULTY (CONCURS IN RESULT ONLY)	2005-CA-0020-ME NOT TO BE PUBLISHED	WARREN
3069	ACUITY VS. GREAT WEST CASUALTY COMPANY OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2005-CA-0027-MR NOT TO BE PUBLISHED	JEFFERSON

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3070	WRIGHT (TAMARA L.) VS. MAHLMANN (JAMES V.) OPINION AFFIRMING SCHRODER (PRESIDING JUDGE) COMBS (CONCURS) AND HENRY (CONCURS)	2005-CA-0137-MR NOT TO BE PUBLISHED	JEFFERSON
3071	SHECKLES (WILLIAM A.) VS. MORGAN (JAMES L.), ET AL. OPINION AFFIRMING JOHNSON (PRESIDING JUDGE) KNOPF (CONCURS) AND VANMETER (CONCURS)	2005-CA-0346-MR NOT TO BE PUBLISHED	BOYLE
3072	IRELAND (DUANE) VS. MILAN EXPRESS, CO., INC., ET AL. OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND JOHNSON (CONCURS)	2005-CA-0379-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
3073	WILLIAMS (RICHARD) VS. FEI INSTALLATION, ET AL. OPINION AFFIRMING IN PART, REVERSING IN PART AND REMANDING JOHNSON (PRESIDING JUDGE) BARBER (CONCURS) AND MILLER (CONCURS)	2005-CA-0653-WC TO BE PUBLISHED	WORKERS COMPENSATION BOARD
3074	FELTY (AMANDA WAUGH) VS. FELTY (KEVIN SCOTT) OPINION AFFIRMING MCANULTY (PRESIDING JUDGE) GUIDUGLI (CONCURS) AND SCHRODER (CONCURS)	2005-CA-0674-ME NOT TO BE PUBLISHED	BOYD
3075	HOLSTON (DANIEL) VS. CHANDLER (LARRY), ET AL. OPINION AFFIRMING VANMETER (PRESIDING JUDGE) TAYLOR (CONCURS) AND POTTER (CONCURS)	2005-CA-0733-MR NOT TO BE PUBLISHED	OLDHAM

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3076	P & D SOLUTIONS CORP. VS. GILL (SHANE A.), ET AL. OPINION AFFIRMING TAYLOR (PRESIDING JUDGE) BARBER (CONCURS) AND MINTON (CONCURS)	2005-CA-1354-WC NOT TO BE PUBLISHED	WORKERS COMPENSATION BOARD
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ORDER DENYING PETITION FOR REHEARING:

BELL (JOHN R.), DECEASED  
VS.  
BELL (WANDA W.)  
ENTERED: 12/20/2005

2004-CA-1350-MR      FAYETTE

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ORDERS DISMISSING:

ROBINETTE (TRACEY L.)  
VS.  
ROBINETTE (RONALD L.)  
ENTERED: 12/19/05

2005-CA-1094-MR      MONTGOMERY

MILLER (JOE)  
VS.  
MILLER (KAREN)  
ENTERED: 12/19/05

2005-CA-1183-MR      JEFFERSON

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ORDERS FROM PREVIOUS WEEK ENDING DECEMBER 16, 2005:

ORDER AFFIRMING:

MARSHALL (CONNIE) 2005-CA-2089-MR JEFFERSON  
VS.  
COMMONWEALTH OF KENTUCKY, CABINET  
FOR FAMILIES AND CHILDREN  
ENTERED: 12/16/05

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ORDER DENYING PETITION FOR REHEARING:

SLONE (PAULA KAY) 2004-CA-1049-MR SCOTT  
VS.  
TOYOTA MOTOR MANUFACTURING KY,  
INC., ET AL.  
ENTERED: 12/16/05

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ORDER DENYING MOTION FOR BELATED APPEAL:

YOCUM (KRISTOPHER) 2005-CA-1786-MR JEFFERSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 12/13/05

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ORDER DENYING PETITION FOR WRIT OF PROHIBITION:

WILLIAMS (AUDREY) 2005-CA-2136-OA IN COURT OF  
VS. APPEALS  
HON. DARREN W. PECKLER, JUDGE  
MERCER CIRCUIT COURT, ET AL.  
ENTERED: 12/16/05

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ORDERED TO BE PUBLISHED BY THE SUPREME COURT:

JOHNSON (TERRON D.) 2004-CA-1375-MR HENDERSON  
VS.  
COMMONWEALTH OF KENTUCKY  
ENTERED: 12/14/05

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ORDERS FROM PREVIOUS WEEK ENDING DECEMBER 16, 2005: (CONTINUED)

ORDERS DISMISSING:

SMITH (GERALD R.) VS. COMMONWEALTH OF KENTUCKY ENTERED: 12/13/05	2004-CA-2506-MR	CAMPBELL
HAWKINS (DUANE) VS. COMMONWEALTH OF KENTUCKY ENTERED: 12/12/05	2004-CA-2586-MR	JEFFERSON
VICK, JR. (LAMON) VS. COMMONWEALTH OF KENTUCKY ENTERED: 12/13/05	2005-CA-0876-MR	MUHLENBERG
ALEA (JACTA EST) VS. COMMONWEALTH OF KENTUCKY ENTERED: 12/13/05	2005-CA-0926-MR	LYON
MAHAN (JEANNE) VS. POMEROY, DR. (DONALD L.) ENTERED: 12/16/05	2005-CA-1311-MR	JEFFERSON
MURRAY (GEORGE EDWARD) VS. COMMONWEALTH OF KENTUCKY ENTERED: 12/13/05	2005-CA-1325-MR	NELSON
HEADLEY BLUFF LAND CO., INC. VS. CITY OF CADIZ, KY. ENTERED: 12/15/05	2005-CA-1469-MR	TRIGG
WASHINGTON MUTUAL BANK, FA VS. MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ETC., ET AL. ENTERED: 12/15/05	2005-CA-1577-MR	JEFFERSON
UNIVERSITY OF KENTUCKY OFFICE OF STUDENT AFFAIRS, ET AL. VS. ELLINGSWORTH, (BECKY) ENTERED: 12/15/05	2005-CA-1868-MR	FAYETTE



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ORDERS DISMISSING: (CONTINUED)

JONES (FELIX), ET AL.

2005-CA-1890-MR

JEFFERSON

VS.

PIERCE (CHRISTOPHER M.)

ENTERED: 12/16/05

WELLS (BRANDON)

2005-CA-2005-MR

WARREN

VS.

COMMONWEALTH OF KENTUCKY

ENTERED: 12/13/05