

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

WEDNESDAY, FEBRUARY 10, 2021

9:30 a.m. COMMONWEALTH OF KENTUCKY V. ERIN HESS (2019-SC-0130-DG)

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Criminal Law. Fugitive Disentitlement Doctrine. Issues presented include whether constitutional right to appeal preclude application of the fugitive disentitlement doctrine when a paroled appellant absconds from supervision during the pendency of an appeal from an order revoking probation.

Discretionary Review granted: 8/21/19

Campbell Circuit Court, Judge Julie Reinhardt Ward

Attorneys for Appellant: Daniel J. Cameron, James Daryl Havey

Attorney for Appellee: Adam Meyer

**11:00 a.m. R.M. AND S.M. V. CABINET FOR HEALTH AND FAMILY SERVICES,
COMMONWEALTH OF KENTUCKY, ET AL. (2020-SC-0205-DGE)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

Termination of Parental Rights. Issues presented include evidentiary sufficiency regarding best interests of the children and reasonableness of efforts to reunify the parents with their two sons.

Discretionary Review granted: 9/16/20

Harrison Circuit Court, Judge Heather Fryman

Attorney for Appellants: William J. Verax, IV

Attorneys for Appellees: Leslie M. Laupp, Tiffany L. Yahr, John R. Kleinschmidt, III

**ALL ARGUMENTS WILL BE CONDUCTED REMOTELY AND STREAMED ONLINE AT
WWW.KET.ORG/SUPREMECOURT.**

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, FEBRUARY 11, 2021

**9:30 a.m. RAY WILLIAM POWERS V. COMMONWEALTH OF KENTUCKY
(2019-SC-0341-DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Evidence. KRE 412. Admissibility of Sexual Activity of Victim After Alleged Crime. Issues presented include whether an exception under KRE 412 allows the admissibility of sexual activity of a victim after an alleged rape and prior to report of the crime to police.

Discretionary Review granted: 10/24/19

Calloway Circuit Court, Judge James T. Jameson

Attorney for Appellant: Steven N. Goens

Attorneys for Appellee: Daniel J. Cameron, Bryan D. Morrow, Brandon Roberts

**11:00 a.m. PERRY PUCKETT V. CABINET FOR HEALTH AND FAMILY SERVICES,
ET AL. (2019-SC-0282-DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

[AMICUS CURIAE BRIEF](#)

Administrative Law. Personnel Board. Issues presented include the impact of a dismissal of a classified employee with status by an individual lacking authority to take personnel actions.

Discretionary Review granted: 12/13/19

Franklin Circuit Court, Judge Thomas D. Wingate

Attorney for Appellant: David L. Leighty, Alison M. Messex

Attorneys for Appellees: Ashley G. Kennedy, Catherine E. York, Stafford Easterling, Mark A. Sipek

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SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

FRIDAY, FEBRUARY 12, 2021

**9:30 a.m. UNITED STATES LIABILITY INSURANCE COMPANY V. JACI WATSON,
AS ADMINISTRATOR OF THE ESTATE OF WILLIAM GERALD
WATSON, DECEASED (2019-SC-0475-DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Limitation of Actions. Third-Party Bad Faith. Issues presented include whether an oral agreement to settle an underlying tort claim not reduced to writing triggers the statute of limitations for filing a third-party bad faith claim.

Discretionary Review granted: 2/12/20

McCracken Circuit Court, Judge William A. Kitchen, III

Attorneys for Appellants: David Domene, Emily C. Lamb

Attorneys for Appellees: Philip G. Fairbanks, Austin Mehr, David V. Oakes

**11:00 a.m. KAREN C. BRITT V. UNIVERSITY OF LOUISVILLE, ET AL. (2019-SC-
0399-DG)**

[APPELLANT BRIEF](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF](#)

Contracts. State University Faculty. Model Procurement Code. Issues involve whether a state university faculty contract was merely “implied” or was included within the waiver of governmental immunity contained in the Kentucky Model Procurement Code at KRS 45A.245.

Discretionary Review granted: 2/12/20

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant: Chelsea N. Dermody, Alton D. Priddy, Thomas J. Schulz

Attorneys for Appellees: Matthew W. Barszcz, Donna K. Perry, Jeremy S. Rogers

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