

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

TO: Justices and Court Staff
FROM: Chief Justice John D. Minton, Jr.
DATE: October 4, 2012

WEDNESDAY, NOVEMBER 14, 2012

- 9:00 a.m. FRAZIER V. COMMONWEALTH OF KENTUCKY (2011-SC-283-DG)**
[Appellant Brief](#)
[Appellee Brief](#)
[Appellant Reply Brief](#)
"Criminal Law. Search and Seizure. Issues include the proper scope and application of *Terry v. Ohio* and *Arizona v. Gant*."
Discretionary Review granted 11/16/2011
Boone Circuit Court, Judge Anthony Frohlich
Attorney for Appellant: Thomas More Ransdell
Attorney for Appellee: Kenneth Wayne Riggs
- 10:00 a.m. BARNES V. COMMONWEALTH OF KENTUCKY (2011-SC-325-DG)**
[Appellant Brief](#)
[Appellee Brief](#)
[Appellant Reply Brief](#)
"Criminal Law. Evidence. Issues include whether the admission of an eye-witness identification and evidence concerning a partial fingerprint denied the defendant due process."
Discretionary Review granted 2/15/2012
Fayette Circuit Court, Judge Kimberly N. Bunnell
Attorney for Appellant: V. Gene Lewter
Attorney for Appellee: David Bryan Abner
- 11:00 a.m. CITY OF LEBANON, KENTUCKY V. GOODIN, ETC., ET AL. (2011-SC-468-DG)**
[Appellant Brief](#)
[Appellee Brief](#)
[Appellant Reply Brief](#)
[Amicus Curiae Brief](#)
"Municipal Corporations. Annexation. Issues involve application of the KRS 81A.410 contiguity mandate."
Discretionary Review granted 4/18/2012
Marion Circuit Court, Judge Allan Ray Bertram
Attorneys for Appellant: David A. Pike, F. Keith Brown and Kandice D. Engle-Gray
Attorneys for Appellees: James L. Avritt, Sr. and Theodore H. Lavit

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, NOVEMBER 15, 2012

9:00 a.m. WHITLEY, ET AL. V. ROBERTSON COUNTY, ET AL. (2011-SC-612-DG)

[Appellant Brief](#)

[Appellee Brief 1](#)

[Appellee Brief 2](#)

[Appellant Reply Brief](#)

"County Roads. KRS Ch. 178. Issues include the authority of circuit courts to determine whether county roads were legally established and the correct procedure to make that determination."

Discretionary Review granted 5/16/2012

Robertson Circuit Court, Judge Robert McGinnis

Attorney for Appellants: James Stuart Thomas

Attorneys for Appellees: Jesse Phillips Melcher, Sannie Louise Overly and Shannon Maureen Johnson

10:00 a.m. STINSON V. COMMONWEALTH OF KENTUCKY (2011-SC-615-DG)

[Appellant Brief](#)

[Appellee Brief](#)

[Appellant Reply Brief](#)

"Criminal Law. Sexual Abuse I. Issues include whether lack of consent is an element of the crime defined in KRS 510.110(1)(d) as including (effective July 15, 2008) sexual contact by a person in a position of authority or special trust with a minor less than 18 years old."

Discretionary Review granted 5/16/2012

Madison Circuit Court, Judge Jean Chenault Logue

Attorneys for Appellant: Matthew Ryan Malone and Jacob Kenneth Michul

Attorney for Appellee: Heather Michelle Fryman

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

THURSDAY, NOVEMBER 15, 2012 (CONTINUED)

**11:00 a.m. WEBB, ETC., ET AL. V. MEYER (2011-SC-145-DG) AND (CROSS MOTION)
MEYER V. WEBB, ETC., ET AL. (2012-SC-113-DG)**

[Appellant Brief](#)

[Appellee/Cross-Appellant Brief](#)

[Appellant Reply/Cross Appellee Brief](#)

"Employment Law. State Employees. The issue involves the definition of a reduction in force" as used in KRS 161.011(8) and what, if any, damages to which the employee may be entitled."

Discretionary Review granted 2/15/2012 and 4/18/2012

Floyd Circuit Court, Judge Danny P. Caudill

Attorneys for Appellants/Cross-Appellees: Michael J. Schmitt and Jonathan C. Shaw

Attorneys for Appellee/Cross-Appellant: James Follace Fields II and Carrie Celia Mullins

FRIDAY, NOVEMBER 16, 2012

NO ORAL ARGUMENTS