

**SUPREME COURT OF KENTUCKY**

**ORAL ARGUMENT CALENDAR**

**WEDNESDAY, OCTOBER 21, 2015**

**9:00 a.m. GARY MARTIN V. STEPHEN O'DANIEL (2014-SC-000373-DG) AND  
MIKE SAPP V. STEPHEN O'DANIEL (2014-SC-000389-DG) AND  
BOBBY MOTLEY V. STEPHEN O'DANIEL (2014-SC-000394-DG)**

[APPELLANT BRIEF 14-SC-373](#)

[APPELLANT BRIEF 14-SC-389](#)

[APPELLANT BRIEF 14-SC-394](#)

[AMICUS CURIAE](#)

[APPELLEE BRIEF](#)

[REPLY BRIEF 14-SC-373](#)

[REPLY BRIEF 14-SC-389](#)

[REPLY BRIEF 14-SC-394](#)

"Torts. Malicious Prosecution. Issues involve availability of an immunity defense as well as evidentiary sufficiency, including applicability of federal malicious prosecution standards to this state action filed against three state police troopers following acquittal of a forgery charge."

Discretionary Review granted 3/25/2015

Franklin Circuit Court, Judge Sheila R. Isaac

Attorney for Gary Martin: William E. Johnson

Attorney for Mike Sapp: Lyndol Scott Miller

Attorneys for Bobby Motley: Heidi Beth Engel and Charles Edward Johnson

Attorneys for Thomas E. Clay and Andrew Thomas Lay

**10:00 a.m. JONATHAN MCDANIEL V. COMMONWEALTH OF KENTUCKY  
(2014-SC-000241-DG) AND DAVID DESHIELDS V. COMMONWEALTH OF  
KENTUCKY (2014-SC-000242-DG) AND JOHN C. MARTIN V.  
COMMONWEALTH OF KENTUCKY (2014-SC-000243-DG)**

[APPELLANT BRIEF 14-SC-241](#)

[APPELLANT BRIEF 14-SC-242](#)

[APPELLANT BRIEF 14-SC-243](#)

[APPELLEE BRIEF 14-SC-241](#)

[APPELLEE BRIEF 14-SC-242](#)

[APPELLEE BRIEF 14-SC-243](#)

[REPLY BRIEF 14-SC-241](#)

[REPLY BRIEF 14-SC-242](#)

[REPLY BRIEF 14-SC-243](#)

"Criminal Law. Due Process. KRS 532.043. Sex Offender Post incarceration supervision. Issues include: (1) whether the application of the amended version of KRS 532.043, which replaced the judicially-based revocation procedure with an administratively-based revocation procedure, to defendants who pled guilty

prior to the amendment violates due process; and (2) whether the defendants' pro se motions should be construed as RCr 11.42 motions or CR 60.02 motions." Discretionary Review Granted 12/10/2014

Calloway Circuit Court, Judge Dennis Foust;

McCracken Circuit Court, Judge Timothy Jon Kaltenbach; and

Anderson Circuit Court, Judge Charles R. Hickman

Attorney for Jonathan McDaniel and David Deshields: Meredith Krause

Attorney for John C. Martin: Margaret Anne Ivie

Attorney for Commonwealth of Kentucky: Christian Kenneth Ray Miller

**THURSDAY, OCTOBER 22, 2015**  
**NO ORAL ARGUMENTS**

**FRIDAY, OCTOBER 23, 2015**  
**NO ORAL ARGUMENTS**