

**SUPREME COURT OF KENTUCKY
ORAL ARGUMENT CALENDAR**

WEDNESDAY, SEPTEMBER 18, 2013

- 9:00 a.m. WHITCOMB V. COMMONWEALTH OF KENTUCKY (2012-SC-376-DG)**
[Appellant's Brief](#)
[Appellee's Brief](#)
[Appellant's Reply Brief](#)
"Criminal Law. Probation and Parole. KRS 533.020. Conrad v. Evridge, 314 S.W. 3d 313 (Ky. 2010). Issues include whether Conrad v. Evridge precludes revocation of probation where the probationary period expired before an outstanding warrant for violating provisions of probation was served."
Discretionary Review granted 2/13/2013
Fayette Circuit Court, Judge James D. Ishmael, Jr.
Attorney for Appellant: Samuel N. Potter
Attorneys for Appellee: Gary Todd Bradbury and Andrea Leigh Mattingly
- 10:00 a.m. CRABTREE V. COMMONWEALTH OF KENTUCKY (2012-SC-591-DG)**
[Appellant's Brief](#)
[Appellee's Brief](#)
[Appellant's Reply Brief](#)
"Criminal Law. Possession of Matter Portraying Sexual Performance by a Minor. Issues involve arguments for a "temporary innocent possession" instruction and addressing lack of knowledge of a hidden thumbcache on defendant's computer."
Discretionary Review granted 4/17/2013
Madison Circuit Court, Judge William G. Clouse, Jr.
Attorneys for Appellant: Fred E. Peters and Rhey Denniston Mills
Attorneys for Appellee: James Hays Lawson and David Bryan Abner
- 11:00 a.m. RUMPEL V. RUMPEL, ETC., ET AL. (2012-SC-563-DG)**
[Appellant's Brief](#)
[Appellee's Brief](#)
[Appellant's Reply Brief](#)
"Family Law. Divorce and Dissolution. Property Division. CR 37.03. KRS 403.220. Issues include the interplay of CR 37.03, which provides for attorney's fees as a sanction for hindering discovery, and KRS 403.220, which permits awards of attorney's fees in dissolution of marriage cases when there is a disparity in the parties' incomes."
Discretionary Review granted 4/17/2013
Bullitt Circuit Court, Judge Rodney D. Burress
Attorneys for Appellant: William Dennis Sims and James Gregory Troutman
Attorneys for Appellees: Eric Griffin Farris, Lee Remington Williams, and Kimberly M. Maraman

**SUPREME COURT OF KENTUCKY
ORAL ARGUMENT CALENDAR**

THURSDAY, SEPTEMBER 19, 2013

**LOUIS D. BRANDEIS SCHOOL OF LAW COURTROOM
UNIVERSITY OF LOUISVILLE
LOUISVILLE, KENTUCKY**

**10:30 a.m. DELPHI AUTOMOTIVE SYSTEMS, LLC V. CAPITAL COMMUNITY
ECONOMIC / INDUSTRIAL DEVELOPMENT CORPORATION, INC.
(2012-SC-249-DG)**

[Appellant's Brief](#)

[Appellee's Brief](#)

[Appellant's Reply Brief](#)

"Secured Transactions. KRS 355.9-109. Issues include whether a governmental entity which entered into a secured transaction with a private business is exempt from the filing requirements of Article 9 or the UCC, via KRS 355.9-109(4)(q)."

Discretionary Review granted 2/13/2013

Franklin Circuit Court, Judge Thomas D. Wingate

Attorneys for Appellant: Virginia Hamilton Snell and Daniel Ernest Hitchcock

Attorneys for Appellee: Robert W. Kellerman and Sarah Jackson Bishop

(Note: Justice Keller is recused.)

**11:45 a.m. UNITED STATES OF AMERICA, BY AND THROUGH THE UNITED STATES
ATTORNEYS FOR THE EASTERN AND WESTERN DISTRICTS OF
KENTUCKY V. KENTUCKY BAR ASSOCIATION (2013-SC-270-KB)**

[Movant's Brief](#)

[Respondent's Brief](#)

[Movant's Reply Brief](#)

[Respondent's Response Brief](#)

[Amicus Curiae Brief 1](#)

[Amicus Curiae Brief 2](#)

"Is it unethical for a criminal defense attorney to advise a client about a plea agreement that requires the defendant to waive ineffective assistance of counsel claims and is it unethical for a prosecutor to make such an offer."

Attorneys for Movant: Kerry Brent Harvey and David Jason Hale

Attorneys for Respondent: Thomas H. Glover, John D. Meyers and Brian Scott West

**SUPREME COURT OF KENTUCKY
ORAL ARGUMENT CALENDAR**

FRIDAY, SEPTEMBER 20, 2013

NO ORAL ARGUMENTS