

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

TO: Justices and Court Staff
FROM: Chief Justice John D. Minton, Jr.
DATE: April 11, 2011

WEDNESDAY, MAY 11, 2011

~~-----**CANCELLED**-----~~

~~9:00 a.m. **STAPLETON V. CITIZENS NATIONAL CORPORATION, ETC.**
(2010-SC-098-DG)~~

~~"Personal Injury. Slip and Fall. The question is the extent to which an owner of business premises owes a duty to patrons with respect to natural outdoor hazards that are obvious to the invitee as to the owner of the premises."
Discretionary Review granted 11/10/2010
Johnson Circuit Court, Judge John David Preston
For Movant: Donald Wayne McFarland
For Respondent: Susan L. Maines and Jonathan David Weber~~

10:00 a.m. COMMONWEALTH OF KENTUCKY V. JONES (2010-SC-123-DG)

"Criminal Law. Probation Revocation. Self Incrimination. Use Immunity. The issue is whether the trial court's failure to continue the probation revocation hearing until the Commonwealth obtained a conviction on the new substantive offense which was the basis for requesting revocation or alternatively grant the defendant "use immunity" unconstitutionally forced the defendant to choose between asserting his right against self incrimination and his right to present a meaningful and complete defense."
Discretionary Review granted 9/15/2010
Hardin Circuit Court, Judge Eddy Coleman
For Movant: James Hays Lawson
For Respondent: Shelly R. Fears

11:00 a.m. BARKER V. COMMONWEALTH OF KENTUCKY (2010-SC-116-DG)

"Probation Revocation. The issue is whether the trial court properly revoked the defendant's probation based on his arrest for another felony prior to any conviction for said felony."
Discretionary Review granted 8/18/2010
Graves Circuit Court, Judge Dennis Foust
For Movant: Frederick W. Rhyhart
For Respondent: Joshua D. Farley

SUPREME COURT OF KENTUCKY

ORAL ARGUMENT CALENDAR

TO: Justices and Court Staff
FROM: Chief Justice John D. Minton, Jr.
DATE: April 11, 2011

THURSDAY, MAY 12, 2011

- 9:00 a.m. ANDERSON V. JOHNSON (2010-SC-646-DGE)**
"Child Custody. Modification. Issues include whether factual findings are required in ruling upon post-dissolution motions to modify parental timesharing to accommodate relocation of one joint custodian."
Discretionary Review granted 1/14/2011
Franklin Circuit Court, Judge Reed Rhorer
For Movant: William David Tingley
For Respondent: Max Harding Comley
- 10:00 a.m. KEIFER V. KEIFER (2010-SC-694-DGE)**
"Child Custody. Modification. Issues include whether factual findings are required in ruling upon post-dissolution motions to modify parental timesharing to accommodate relocation of one joint custodian."
Discretionary Review granted 1/14/2011
Hardin Circuit Court, Judge Pamela Addington
For Movant: Douglas E. Miller
For Respondent: Phyllis K. Lonneman and Dawn Lonneman Blair
- 11:00 a.m. BENNINGFIELD, ETC. V. ZINSMEISTER, DECEASED, ET AL. (2009-SC-660-DG)**
"Animal control. KRS 258.235(4). Issues include whether a landlord is strictly liable as a KRS 258.095(5) "owner" for injuries inflicted by a tenant's dog and, if so, whether the liability extends to injuries inflicted off the leased premises."
Discretionary Review granted 11/10/2010
Jefferson Circuit Court, Judge Judith E. McDonald-Burkman
For Movant: Vanessa B. Cantley and John Lewis Smith
For Respondents: Douglas Bruce Taylor

FRIDAY, MAY 13, 2011

NO ORAL ARGUMENTS