

**SUPREME COURT OF KENTUCKY**

**FEBRUARY 14, 2019 MINUTES**

**RELEASED: 10:00 A.M.**

1. **ROBBIE WHALEY V. COMMONWEALTH OF KENTUCKY**  
**OPINION OF THE COURT BY JUSTICE WRIGHT – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.

[2017-SC-000439-MR](#) KENTON  
**TO BE PUBLISHED**

**Questions Presented:**  
Six counts of third-degree sodomy; criminal attempt to commit third-degree sodomy; six counts of first-degree sexual abuse; three counts of first-degree sodomy; PFO-I - Life without Possibility of Parole for 25 years. Joinder of indictments and admission of evidence of other crimes, wrongs or acts was not error. Trial court properly disallowed cross-examination regarding pornographic images and allowed expert testimony regarding anal sodomy.
  
2. **JOHN DANIEL CLARK V. COMMONWEALTH OF KENTUCKY**  
**OPINION OF THE COURT BY CHIEF JUSTICE MINTON – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.

[2017-SC-000567-MR](#) GREENUP  
**TO BE PUBLISHED**

**Questions Presented:**  
Murder and two counts of tampering with physical evidence-35 years. Evidence was sufficient to support two counts of tampering with physical evidence. Proper jury instructions on protection of another.
  
3. **PERRY JACK PROBUS JR. V. COMMONWEALTH OF KENTUCKY**  
**OPINION OF THE COURT BY CHIEF JUSTICE MINTON – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.

[2018-SC-000019-MR](#) OLDHAM  
**TO BE PUBLISHED**

**Questions Presented:**  
Due process rights were not violated when Commonwealth prosecuted defendant's case on a different theory than his co-defendant's, who pled guilty to a lesser offense. Jury was entitled to believe that a "BB gun" constitutes a deadly weapon or dangerous instrument.

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

4. ALLSTATE PROPERTY & CASUALTY INSURANCE COMPANY V. ROBERT KLEINFELD, DC, ETC. ET AL.  
**OPINION OF THE COURT BY CHIEF JUSTICE MINTON – REVERSING**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. LAMBERT, J., DISSENTS.
- [2018-SC-000417-MR](#)  
**TO BE PUBLISHED**
- FROM COURT OF APPEALS
- Questions Presented:**  
Petition for writ of prohibition. Precluding discovery of certain information from a non-party. KRS 304.39-280(3).
5. RICHARD C. OLIPHANT, M.D., ET AL. V. BILLIE JO RIES, ET AL.  
**OPINION OF THE COURT BY JUSTICE HUGHES – REVERSING AND REINSTATING**  
MINTON, C.J.; KELLER, LAMBERT, VANMETER, AND WRIGHT, JJ., SITTING. ALL CONCUR.
- [2017-SC-000208-DG](#)  
**TO BE PUBLISHED**
- JEFFERSON
- Questions Presented:**  
Medical Malpractice. Expert Witness Disclosures.
6. TAIRA LITSEY V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
C.J. MINTON, HUGHES, KELLER, LAMBERT, VANMETER, AND WRIGHT, JJ., SITTING. ALL CONCUR.
- [2017-SC-000334-MR](#)  
**NOT TO BE PUBLISHED**
- BULLITT
7. CHESTER KEITH COOGLE V. COMMONWEALTH OF KENTUCKY  
**MEMORANDUM OPINION OF THE COURT – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. MINTON, C.J.; KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., CONCUR. HUGHES, J., CONCURS IN RESULT ONLY WITHOUT OPINION.
- [2017-SC-000554-MR](#)  
**NOT TO BE PUBLISHED**
- HARDIN

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

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| 8.  | CURRY NICELY V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>C.J. MINTON; HUGHES, KELLER,<br>LAMBERT, VANMETER AND WRIGHT,<br>JJ., SITTING. ALL CONCUR.  | <a href="#">2017-SC-000574-MR</a><br><b>NOT TO BE PUBLISHED</b> | OHIO      |
| 9.  | CHRISTOPHER MCCULLUM V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>MINTON, C.J.; HUGHES, KELLER,<br>LAMBERT, VANMETER AND WRIGHT,<br>JJ., SITTING. ALL CONCUR.   | <a href="#">2017-SC-000607-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON |
| 10. | WILLIAM TERRY JAMISON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>MINTON, C.J.; KELLER, LAMBERT,<br>AND WRIGHT, JJ., CONCUR.<br>VANMETER, J., DISSENTS BY<br>SEPARATE OPINION IN WHICH<br>HUGHES, J., JOINS. | <a href="#">2017-SC-000622-MR</a><br><b>NOT TO BE PUBLISHED</b> | FULTON    |
| 11. | RAMON D. LINDSAY V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>MINTON, C.J.; HUGHES, KELLER,<br>LAMBERT, VANMETER AND WRIGHT,<br>JJ., SITTING. ALL CONCUR.   | <a href="#">2018-SC-000054-MR</a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON |
| 12. | COREY J. BUTTS V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF<br/>THE COURT – <u>AFFIRMING</u></b><br>MINTON, C.J.; HUGHES, KELLER,<br>LAMBERT, VANMETER AND WRIGHT,<br>JJ., SITTING. ALL CONCUR.   | <a href="#">2018-SC-000064-MR</a><br><b>NOT TO BE PUBLISHED</b> | WARREN    |

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

13. DANIEL LOTTER V. [2018-SC-000079-WC](#) FROM COURT  
GENERAL ELECTRIC COMPANY, **NOT TO BE PUBLISHED** OF APPEALS  
ET AL.  
**MEMORANDUM OPINION OF  
THE COURT – AFFIRMING**  
C.J. MINTON; HUGHES, KELLER,  
LAMBERT, VANMETER AND WRIGHT,  
JJ., SITTING. ALL CONCUR.
14. MOSES KUH BANDER V. [2018-SC-000131-MR](#) JESSAMINE  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF  
THE COURT – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER,  
LAMBERT, VANMETER AND WRIGHT,  
JJ., SITTING. ALL CONCUR.
15. JOSEPH THORNSBERRY V. [2018-SC-000203-WC](#) FROM COURT  
FORD MOTOR COMPANY, ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
**MEMORANDUM OPINION OF  
THE COURT – AFFIRMING**  
MINTON, C.J.; HUGHES, KELLER,  
LAMBERT, VANMETER AND WRIGHT,  
JJ., SITTING. ALL CONCUR.
16. RAYMOND BRYANT V. [2018-SC-000265-WC](#) FROM COURT  
JESSAMINE CAR CARE, ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
**AND**  
JESSAMINE CAR CARE V. [2018-SC-000269-WC](#) FROM COURT  
RAYMOND BRYANT, ET AL. **NOT TO BE PUBLISHED** OF APPEALS  
**MEMORANDUM OPINION OF  
THE COURT – AFFIRMING IN PART,  
REVERSING IN PART AND REMANDING**  
MINTON, C.J.; HUGHES, KELLER,  
LAMBERT, VANMETER AND WRIGHT,  
JJ., SITTING. ALL CONCUR.

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

17. JEFF OWENS V. [2018-SC-000142-MR](#) BELL  
COMMONWEALTH OF KENTUCKY **NOT TO BE PUBLISHED**  
**MEMORANDUM OPINION OF**  
**THE COURT – AFFIRMING IN PART,**  
**VACATING IN PART**  
MINTON, C.J.; HUGHES, KELLER,  
LAMBERT, VANMETER AND WRIGHT,  
JJ., SITTING. ALL CONCUR.
18. BOLSTER AND JEFFRIES HEALTH [2018-SC-000202-WC](#) FROM COURT  
CARE GROUP, LLC. ETC. V. **NOT TO BE PUBLISHED** OF APPEALS  
APRIL MAYHEW, HON. DOUGLAS  
W. GOTT, ET AL.  
**MEMORANDUM OPINION OF**  
**THE COURT – REVERSING**  
C.J. MINTON; HUGHES, LAMBERT,  
VANMETER AND WRIGHT, JJ.,  
SITTING. KELLER, J., CONCURS IN  
RESULT ONLY.

**OPINION AND ORDERS – FEBRUARY 14, 2019**

- COMMONWEALTH OF KENTUCKY V. [2018-SC-000095-DG](#) CAMPBELL  
JOHN P. ROTH JR. **TO BE PUBLISHED**  
**ORDER OF DISMISSAL.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING.  
KELLER, J., DISSENTS BY SEPARATE  
OPINION IN WHICH WRIGHT, J., JOINS.
- INQUIRY COMMISSION V. [2018-SC-000448-KB](#) IN SUPREME  
JOSEPH W. BOLIN **TO BE PUBLISHED** COURT  
**ORDER OF TEMPORARY SUSPENSION.**  
C.J. MINTON; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**OPINION AND ORDERS – FEBRUARY 14, 2019**

AN UNNAMED ATTORNEY V.  
KENTUCKY BAR ASSOCIATION  
**ORDER OF PRIVATE REPRIMAND.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.

[2018-SC-000575-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

FRED GARLAND GREENE V.  
KENTUCKY BAR ASSOCIATION  
**ORDER OF SUSPENSION FROM THE  
PRACTICE OF LAW FOR 3 YEARS  
RETROACTIVE FROM MARCH 1, 2017.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.

[2018-SC-000600-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

KENTUCKY BAR ASSOCIATION V.  
CHRISTY HANLEY SHIRCLIFF  
**ORDER OF INDEFINITE SUSPENSION.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.

[2018-SC-000607-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

LEAH STACY FINK V.  
KENTUCKY BAR ASSOCIATION  
**ORDER OF SUSPENSION FROM THE  
PRACTICE OF LAW FOR 5 YEARS  
RETROACTIVE FROM AUGUST 20, 2015 WITH  
CONDITIONS.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.

[2018-SC-000647-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

NORTON HEALTHCARE, INC. V.  
DONNA DISSELKAMP

2018-SC-000274-DG

JEFFERSON

**SUPREME COURT OF KENTUCKY**

**FEBRUARY 14, 2019 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

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| COMMUNITY FINANCIAL SERVICES BANK<br>F/D/B/A BANK OF BENTON V.<br>RONNY L. STAMPER   | 2018-SC-000320-DG                          | MARSHALL                   |
| STEVE MELTON, ET AL. V.<br>DONNIE S. CROSS, ET AL.   | 2018-SC-000336-DG                          | CLINTON                    |
| LAURA R. NORMANDIN V.<br>SCOTT W. NORMANDIN  | 2018-SC-000451-DG                          | OLDHAM                     |
| ROBERT SIMMS V.<br>ESTATE OF BRANDON MICHAEL BLAKE, ET AL.   | 2018-SC-000478-DG                          | SCOTT                      |
| GENARO HERRERA HERNANDEZ V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000492-DG                          | JEFFERSON                  |
| LEDBETTER WATER DISTRICT V.<br>CRITTENDEN-LIVINGSTON WATER DISTRICT,<br>ET AL.   | 2018-SC-000494-DG                          | LIVINGSTON                 |
| COMMONWEALTH OF KENTUCKY, CABINET<br>FOR HEALTH AND FAMILY SERVICES, ET AL. V.<br>K. S., MOTHER                                      | 2018-SC-000523-DGE                         | KENTON                     |
| COMMONWEALTH OF KENTUCKY, CABINET<br>FOR HEALTH AND FAMILY SERVICES V.<br>H. C.  | 2018-SC-000534-DGE                         | HARRISON                   |
| SEILLER WATERMAN, LLC., ET AL. V.<br>RLB PROPERTIES, LTD.<br><b>AND</b><br>RLB PROPERTIES, LTD. V.<br>SEILLER WATERMAN, LLC., ET AL. | 2018-SC-000538-DG<br><br>2018-SC-000558-DG | JEFFERSON<br><br>JEFFERSON |
| COMMONWEALTH OF KENTUCKY, CABINET<br>FOR HEALTH AND FAMILY SERVICES V.<br>N. B. D.   | 2018-SC-000592-DGE                         | CAMPBELL                   |

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

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| JAMES BRADLEY ANDERSON V.<br>NORTH MARSHALL WATER DISTRICT, ET AL.   | 2018-SC-000294-D | MARSHALL  |
| TODD A. SAPP V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000308-D | GREENUP   |
| STEVEN RODEN V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000329-D | MADISON   |
| JAMES W. HAGER V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000333-D | FAYETTE   |
| CHRISTINE L. COOK, M.D., ET AL. V.<br>C. WILLIAM HELM, MB.BCHIR  | 2018-SC-000338-D | JEFFERSON |
| NIRMALA NORONHA, ET AL. V.<br>RONALD W. ZOLKIEWICZ, ET AL.<br><b>THE OPINION OF THE COURT OF APPEALS<br/>IS ORDERED TO BE PUBLISHED.</b>               | 2018-SC-000347-D | JEFFERSON |
| FRANK ALEXANDER, ET AL. V.<br>KIRBY HOLLADAY, ET AL.<br><b>THE OPINION OF THE COURT OF APPEALS<br/>IS ORDERED NOT TO BE PUBLISHED.</b>                 | 2018-SC-000372-D | JEFFERSON |
| PATTY JENNINGS, ETC. V.<br>BEREA AREA DEVELOPMENT, LLC, ETC., ET AL.<br><b>THE OPINION OF THE COURT OF APPEALS<br/>IS ORDERED NOT TO BE PUBLISHED.</b> | 2018-SC-000373-D | MADISON   |
| CHRIS JOHNSON, ETC., ET AL. V.<br>CAPITOL SPECIALTY INSURANCE<br>CORPORATION   | 2018-SC-000379-D | FAYETTE   |
| <b>AND</b><br>CASEY ARNOLD, ET AL. V.<br>CAPITOL SPECIALTY INSURANCE<br>CORPORATION<br><b>VANMETER AND WRIGHT, JJ., WOULD<br/>GRANT.</b>               | 2018-SC-000380-D | FAYETTE   |



SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

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| PAUL J. NICHOLLS M.D. V.<br>ANN D. QUATTROCCHI<br><b>VANMETER, J., WOULD DEPUBLISH THE<br/>OPINION OF THE COURT OF APPEALS DUE<br/>TO AN INSUFFICIENT DISCUSSION OF THE<br/>FACTUAL BASIS FOR AFFIRMING THE TRIAL<br/>COURT’S DECISION NOT TO RECUSE.</b> | 2018-SC-000391-D | FAYETTE   |
| CHARLENE JACOBS V.<br>KINGPIN, LLC  | 2018-SC-000397-D | JEFFERSON |
| TONY C. HODGE V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000407-D | MADISON   |
| COMMONWEALTH OF KENTUCKY V.<br>DAVID SUAREZ<br><b>VANMETER, J., WOULD GRANT.</b>  | 2018-SC-000413-D | FAYETTE   |
| SHAWN MALONE V.<br>DEPARTMENT OF CORRECTIONS  | 2018-SC-000414-D | FRANKLIN  |
| MENELIK BRANK V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000439-D | HENDERSON |
| OLDHAM COUNTY BOARD OF EDUCATION,<br>ET AL. V.<br>SANDRA GUGLIOTTA, ET AL.  | 2018-SC-000462-D | OLDHAM    |
| MATTIE BAKER V.<br>KENTUCKY FARM BUREAU MUTUAL<br>INSURANCE CO., ET AL.   | 2018-SC-000488-D | JEFFERSON |
| SMITHFIELD FARMS, LLC V.<br>RIVERSIDE DEVELOPERS, LLC   | 2018-SC-000530-D | GALLATIN  |
| GREEN COUNTY FISCAL COURT, ET AL. V.<br>KATHERINE HUBER, ET AL.   | 2018-SC-000532-D | GREEN     |

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

|   |                  |           |
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| DANIEL DRAGOO V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000533-D | JEFFERSON |
| ROBERT F. GROSSL, ET AL. V.<br>SCOTT COUNTY FISCAL COURT  | 2018-SC-000536-D | SCOTT     |
| TONI WITHERS, ET AL. V.<br>KENTUCKY FARM BUREAU MUTUAL<br>INSURANCE CO., ET AL.   | 2018-SC-000540-D | RUSSELL   |
| JAMI L. SUMMERS V.<br>BEECH BEND PARK, INC.<br><b>THE OPINION OF THE COURT OF APPEALS<br/>IS ORDERED NOT TO BE PUBLISHED.</b>       | 2018-SC-000548-D | WARREN    |
| K.W., BY AND THROUGH HER NEXT FRIENDS<br>R.W. AND J.W. V.<br>BOARD OF EDUCATION OF LINCOLN COUNTY,<br>KENTUCKY                      | 2018-SC-000551-D | LINCOLN   |
| PEPPY MARTIN V.<br>FARM CREDIT SERVICES OF MID-AMERICA,<br>ET AL.   | 2018-SC-000556-D | HART      |
| ARICKA LYNN BRUCE, ET AL. V.<br>JACKIE AMOS   | 2018-SC-000557-D | OLDHAM    |
| PAUL HURT V.<br>COMMONWEALTH OF KENTUCKY  | 2018-SC-000563-D | JEFFERSON |
| STEVE PAPASTEFANOU, ET AL. V.<br>KENTUCKY GROWERS INSURANCE<br>COMPANY, ET AL.<br><b>VANMETER AND WRIGHT, JJ., WOULD<br/>GRANT.</b> | 2018-SC-000564-D | WARREN    |
| MATTHEW TIPTON V.<br>COMMONWEALTH OF KENTUCKY   | 2018-SC-000569-D | BOURBON   |

**SUPREME COURT OF KENTUCKY**

**FEBRUARY 14, 2019 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –  
FEBRUARY 7, 2019**

DENISE J. TEASLEY, M.D. V. 2018-SC-000571-D JEFFERSON  
RANDEL C. GIBSON, D.O., ETC., ET AL.  
**VANMETER, J., WOULD GRANT.**

MELISSA PAGE SIGG V. 2018-SC-000576-DE JEFFERSON  
CHRISTOPHER STEPHEN SIGG

JAMES TERHUNE V. 2018-SC-000589-D BOYLE  
COMMONWEALTH OF KENTUCKY

**COURT ORDERS DENYING MOTION TO TRANSFER – FEBRUARY 14, 2019**

ANGELILKA KASEY, ET AL. V. 2018-SC-000614-T FRANKLIN  
MATTHEW BEVIN, ET AL.  
**MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.**

**COURT ORDERS DENYING PETITION FOR REHEARING – FEBRUARY 14, 2019**

MICHAEL SCALISE, ET AL. V. 2016-SC-000246-DG JEFFERSON  
SUZETTE SEWELL-SCHEUERMANN  
**MINTON, C.J.; HUGHES, KELLER, LAMBERT,  
VANMETER AND WRIGHT, JJ., SITTING. ALL  
CONCUR.**



SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING PETITION FOR REHEARING – FEBRUARY 14, 2019**

THE TRAVELERS INDEMNITY COMPANY V. CHARLES ARMSTRONG, ETC. 2017-SC-000041-DG 2017-SC-000042-DG WARREN

**AND**

MARTIN CADILLAC, INC. D/B/A/ MARTIN DODGE JEEP CHRYSLER V. CHARLES ARMSTRONG, ETC.

**MINTON, C.J.; KELLER, LAMBERT, AND WRIGHT, JJ., AND SPECIAL JUSTICES JUSTIN D. CLARK AND DAVID ROYSE, SITTING. HUGHES, AND VANMETER, JJ., NOT SITTING. ALL CONCUR.**

COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES, EX REL. ETC., ET AL. 2017-SC-000614-TG 2017-SC-000615-TG FRANKLIN

**V.**

EZRA CLAYCOMB, A MINOR, BY AND THROUGH HIS NEXT FRIEND, NATURAL GUARDIAN AND PARENT, TONYA CLAYCOMB, ET AL.

**C.J., MINTON; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.**

FRED ZUCKERMAN, AS REPRESENTATIVE OF THE GENERAL DRIVERS, ETC., ET AL. V. MATTHEW G. BEVIN, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE COMMONWEALTH OF KENTUCKY, ET AL. 2018-SC-000097-TG 2018-SC-000098-TG FRANKLIN

**C.J., MINTON; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.**

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS DISMISSING**

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| GINGER WRIGHT, ADMINISTRATOR OF THE ESTATE OF MABLE DAMRON, DECEASED V. LP PIKEVILLE, LLC, ETC., ET AL.<br><b>WRIGHT, HUGHES, KELLER AND VANMETER, JJ., SITTING. ALL CONCUR.</b><br>ENTERED: FEBRUARY 7, 2019 | 2014-SC-000238-DG | PIKE      |
| THOMAS TERRY V. COMMONWEALTH OF KENTUCKY<br><b>WRIGHT, HUGHES, KELLER AND VANMETER, JJ., SITTING. ALL CONCUR.</b><br>ENTERED: FEBRUARY 6, 2019  | 2018-SC-000248-D  | JEFFERSON |
| RICKY DALE KEYTON V. HON. PAMELA GOODWINE, JUDGE, FAYETTE CIRCUIT COURT, ET AL.<br><b>MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.</b><br>ENTERED: FEBRUARY 14, 2019 | 2018-SC-000298-D  | FAYETTE   |
| RONNIE DALE NEELEY V. COMMONWEALTH OF KENTUCKY<br><b>WRIGHT, HUGHES, KELLER AND VANMETER, JJ., SITTING. ALL CONCUR.</b><br>ENTERED: FEBRUARY 6, 2019  | 2018-SC-000590-D  | JACKSON   |
| MONTEZ L. BOWEN V. COMMONWEALTH OF KENTUCKY<br><b>ENTERED: DECEMBER 21, 2018</b>  | 2018-SC-000639-D  | SHELBY    |
| COMMONWEALTH OF KENTUCKY V. RICKY LEE JONES<br><b>WRIGHT, HUGHES, KELLER AND VANMETER, JJ., SITTING. ALL CONCUR.</b><br>ENTERED: FEBRUARY 6, 2019   | 2019-SC-000005-D  | JEFFERSON |

SUPREME COURT OF KENTUCKY

FEBRUARY 14, 2019 MINUTES

RELEASED: 10:00 A.M.

**COURT ORDERS**

KENTUCKY STATE BOARD OF ELECTIONS, ET AL. V. [2018-SC-000351-TG](#) FRANKLIN  
KAREN E. FAULKNER, ET AL. **TO BE PUBLISHED**  
**ORDER CORRECTED THE OPINION OF THE COURT RENDERED DECEMBER 13, 2018, BY SUBSTITUTION OF THIS OPINION IN LIEU OF THE ORIGINAL OPINION.**  
ENTERED: JANUARY 14, 2019

COMMONWEALTH OF KENTUCKY V. 2018-SC-000559-CL CAMPBELL  
JON D. REINHARDT  
**ORDER DENIED MOTION TO CERTIFY THE LAW.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.  
**ENTERED: FEBRUARY 14, 2019**

KATHY MILLER, ETC. V. 2018-SC-000625-CL FEDERAL  
HOUSE OF BOOM KENTUCKY, LLC.  
**ORDER GRANTED MOTION TO CERTIFY THE LAW.**  
MINTON, C.J.; HUGHES, KELLER, LAMBERT, VANMETER AND WRIGHT, JJ., SITTING. ALL CONCUR.  
**ENTERED: FEBRUARY 14, 2019**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE KENTUCKY BAR ASSOCIATION**

MARC ARNOLD MELAMED V. 2018-SC-000689-KB IN SUPREME COURT  
KENTUCKY BAR ASSOCIATION  
**ENTERED: JANUARY 3, 2019**

MARTIN JOSEPH KENWORTHY V. 2019-SC-000025-KB IN SUPREME COURT  
KENTUCKY BAR ASSOCIATION  
**ENTERED: JANUARY 10, 2019**

**SUPREME COURT OF KENTUCKY**

**FEBRUARY 14, 2019 MINUTES**

**RELEASED: 10:00 A.M.**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION**

**NEIMAN KODEY JOLLY V.  
KENTUCKY BAR ASSOCIATION  
ENTERED: JANUARY 10, 2019**

**2019-SC-000026-KB**

**IN SUPREME  
COURT**

**JAMES G. ESSER V.  
KENTUCKY BAR ASSOCIATION  
ENTERED: JANUARY 31, 2019**

**2019-SC-000071-KB**

**IN SUPREME  
COURT**