

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

234. JOSEPH KOZAK (A MINOR) V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
CHIEF JUSTICE MINTON –
VACATING AND REMANDING**
SCOTT, J., CONCURS BY SEPARATE
OPINION IN WHICH CUNNINGHAM, J.,
JOINS. NOBLE, J., CONCURS IN
RESULT ONLY BY SEPARATE
OPINION IN WHICH SCHRODER
AND VENTERS, JJ., JOIN.

[2007-SC-000569-MR](#)
TO BE PUBLISHED

GRAVES

Questions Presented:
Whether a juvenile may waive the right to a more lenient sentencing disposition under the juvenile code by entering into a plea agreement with the Commonwealth and whether the juvenile must be directly and explicitly made aware of the juvenile code rights being waived.

235. WORKFORCE DEVELOPMENT
CABINET, DEPARTMENT FOR
EMPLOYMENT SERVICES,
DIVISION OF UNEMPLOYMENT
INSURANCE V.
MARY C. GAINES
**OPINION OF THE COURT BY
JUSTICE SCHRODER –
AFFIRMING**
SPECIAL JUSTICE DAVID T. ROYSE
DISSENTS BY SEPARATE OPINION
IN WHICH C.J., MINTON, AND SPECIAL
JUSTICE STEWART E. CONNER JOINS.
ABRAMSON AND NOBLE, JJ., NOT
SITTING.

[2005-SC-000965-DG](#)
TO BE PUBLISHED

FRANKLIN

Questions Presented:
Kentucky Whistleblower Act. The issue is whether a state agency is a proper recipient of its employee's whistleblower report under KRS 61.102(1), or whether the report must be made to an investigative or law enforcement authority.

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

236. COMMONWEALTH OF KENTUCKY V. [2006-SC-000125-DG](#) BRACKEN
DEANNA GAYLE WOOTEN
TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE SCHRODER –
AFFIRMING
SCOTT, J., CONCURS BY SEPARATE
OPINION IN WHICH ABRAMSON, J.,
JOINS.
- Questions Presented:**
Criminal Law. Competency to Stand Trial. Issues include whether trial court at competency hearing improperly permitted testimony by expert retained by defense; and whether trial court abused its discretion by finding defendant not competent to stand trial where court-appointed expert testified that defendant was competent and defense expert testified that defendant was "marginally competent."
237. CONSOLIDATED INFRASTRUCTURE [2006-SC-000188-DG](#) LOGAN
MANAGEMENT AUTHORITY, INC. V. [2006-SC-000712-DG](#)
THOMAS EVERETTE ALLEN
TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE CUNNINGHAM –
AFFIRMING
MINTON, C.J., NOT SITTING.
- Questions Presented:**
Limitations. Whistleblower Statute. Issues include whether the 90-day KRS 61.103(2) limitations period governs the remedies provided in KRS 61.990(4).
238. RALPH S. BAZE V. [2007-SC-000601-MR](#) ROWAN
COMMONWEALTH OF KENTUCKY
TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE CUNNINGHAM –
AFFIRMING
SCOTT, J., NOT SITTING.
- Questions Presented:**
60.02(e) Motion to Set Aside Void Judgment - Death Penalty.

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

239. COMMONWEALTH OF KENTUCKY V. [2006-SC-000653-DG](#) MCCRACKEN
MICHAEL CARNEAL [2007-SC-000203-DG](#)
OPINION OF THE COURT BY TO BE PUBLISHED
JUSTICE CUNNINGHAM –
AFFIRMING IN PART AND
REVERSING IN PART
MINTON, C.J., NOT SITTING.

Questions Presented:
Criminal Law. RCr 11.42. Competency Hearings. Insanity. Issues include: (1) whether RCr 11.42 limitations period is tolled for juveniles, and (2) whether retrospective competency hearing, based on new mental evaluation, should be granted even though such a hearing had been held prior to guilty plea.

240. TRIPLE CROWN SUBDIVISION [2006-SC-000934-DG](#) BOONE
HOMEOWNERS ASSOCIATION, INC. V. **TO BE PUBLISHED**
CLINTON S. OBERST, ET AL.
OPINION OF THE COURT BY
JUSTICE SCHRODER –
REVERSING AND REMANDING
ABRAMSON, J., NOT SITTING.

Questions Presented:
Whether or not the restrictive covenants in question are sufficiently described so as to be incorporated by reference and binding on the property.

241. BRIAN STRANGE V. [2007-SC-000328-DG](#) FAYETTE
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE VENTERS –
REVERSING AND REMANDING

Questions Presented:
Criminal Law. Search and Seizure. Investigatory Stops. Issues include whether evidence seized from defendant's person without a warrant must be suppressed on grounds that the investigatory stop that led to discovery of the evidence was unlawful for want of reasonable suspicion.

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

242. ALLENE HALL V.
HOSPITALITY RESOURCES,
INC., ET AL
**OPINION OF THE COURT BY
JUSTICE SCOTT – REVERSING**
MINTON, C.J., DISSENTS BY
SEPARATE OPINION IN WHICH
ABRAMSON AND VENTERS, JJ.,
JOIN.
- [2007-SC-000153-WC](#)
TO BE PUBLISHED
- FROM COURT
OF APPEALS
- Questions Presented:**
KRS 342.125(3). Whether the period of limitations for reopening runs for four years after the original award or order or four years after a subsequent order granting or denying benefits.
243. JOSEPH WAYNE ALLEN V.
COMMONWEALTH OF KENTUCKY
**OPINION OF THE COURT BY
JUSTICE ABRAMSON –
REVERSING**
SCOTT, J., CONCURS BY
SEPARATE OPINION.
- [2007-SC-000642-MR](#)
TO BE PUBLISHED
- JEFFERSON
- Questions Presented:**
Criminal Law. Whether the trial court erred in failing to excuse jurors for cause who allegedly gave false answers to voir dire questions or expressed an unwillingness to be impartial . Instructing the Jury on the seventy year sentencing cap imposed by KRS 532.110(1)(c).
244. J.D. HAMMONS V.
COMMONWEALTH OF KENTUCKY
**MEMORANDUM OPINION OF
THE COURT –
VACATING AND REMANDING**
- [2004-SC-000838-DG](#)
NOT TO BE PUBLISHED
- LAUREL
245. CECIL NEW V.
KENTUCKY COURT
OF APPEALS, ET AL
**MEMORANDUM OPINION OF
THE COURT – DENYING**
- [2008-SC-000457-OA](#)
NOT TO BE PUBLISHED
- IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

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| 246. | RICHARD EARL THOMAS, II V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2006-SC-000361-MR
NOT TO BE PUBLISHED | BULLITT |
| 247. | ROGER L. WHEELER V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u>
ABRAMSON, J., NOT SITTING. | 2006-SC-000901-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 248. | WILLIAM ASHLEY YEAGLE V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000106-MR
NOT TO BE PUBLISHED | DAVISS |
| 249. | HERSHALL NALL, SR. V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000189-MR
NOT TO BE PUBLISHED | HARDIN |
| 250. | JOE WILLIE BYRD V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000373-MR
NOT TO BE PUBLISHED | FAYETTE |
| 251. | JOSUE MARQUEZ AREVALO V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000651-MR
NOT TO BE PUBLISHED | FAYETTE |
| 252. | JESSIE WAYNE BYRD V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF
THE COURT – <u>AFFIRMING</u> | 2007-SC-000706-MR
NOT TO BE PUBLISHED | FAYETTE |

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

253. FRANKLIN INSURANCE AGENCY, INC. V. EDIE M. SIMPSON, ET AL. [2007-SC-000748-WC](#) FROM COURT OF APPEALS
NOT TO BE PUBLISHED
- AND**
- EDIE M. SIMPSON V. FRANKLIN INSURANCE AGENCY, INC., ET AL. [2007-SC-000914-WC](#) FROM COURT OF APPEALS
NOT TO BE PUBLISHED
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**
254. FARAHNAZ MIRZAE V. UNITED PARCEL SERVICE, ET AL. [2007-SC-000884-WC](#) FROM COURT OF APPEALS
NOT TO BE PUBLISHED
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**
255. INTEGRATED ELECTRICAL AND DATACOM V. GEORGE HUSSEY, ET AL. [2008-SC-000031-WC](#) FROM COURT OF APPEALS
NOT TO BE PUBLISHED
- MEMORANDUM OPINION OF THE COURT – AFFIRMING**
256. DOMINIC T. BUCKNER V. COMMONWEALTH OF KENTUCKY [2006-SC-000479-MR](#) DAVIESS
NOT TO BE PUBLISHED
- MEMORANDUM OPINION OF THE COURT – AFFIRMING IN PART, AND REVERSING AND REMANDING, IN PART**
257. MICHELLE DUNN V. COMMONWEALTH OF KENTUCKY [2006-SC-000412-DG](#) KNOX
NOT TO BE PUBLISHED
- MEMORANDUM OPINION OF THE COURT – REVERSING, VACATING AND REMANDING**
SCHRODER, J., NOT SITTING.

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – NOVEMBER 26, 2008

STANLEY BROWN V. KENTUCKY BAR ASSOCIATION ORDER GRANTED MOTION TO DISMISS MOVANT'S APPLICATION FOR REINSTATEMENT.	<u>2007-SC-000455-KB</u> TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. JARED SQUIRES ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW.	<u>2008-SC-000035-KB</u> TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. RUTH ANN SEBASTIAN ORDER SUSPENDED RESPONDENT WITH CONDITIONS. VENTER, J., NOT SITTING.	<u>2008-SC-000433-KB</u> TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. ZACK N. WOMACK ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR 30 DAYS.	<u>2008-SC-000456-KB</u> TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. PAT HARRIS ORDER PUBLICLY REPRIMANDED RESPONDENT.	<u>2008-SC-000474-KB</u> TO BE PUBLISHED	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION V. CHARLES C. LEADINGHAM ORDER SUSPENDED RESPONDENT FROM THE PRACTICE OF LAW FOR 30 DAYS PROBATED WITH CONDITIONS.	<u>2008-SC-000522-KB</u> TO BE PUBLISHED	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

OPINIONS AND ORDERS – NOVEMBER 26, 2008

KELLY H. FOWLER V. KENTUCKY BAR ASSOCIATION ORDER DENIED MOTION FOR PUBLIC REPRIMAND AND REMANDED FOR FURTHER DISCIPLINARY PROCEEDINGS.	2008-SC-000695-KB NOT TO BE PUBLISHED	IN SUPREME COURT
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CONSTANCE L. BUEHNER (F/K/A CONNIE LEE RUNNER) V. KENTUCKY BAR ASSOCIATION ORDER PUBLICLY REPRIMANDED MOVANT AND SUSPENDED MOVANT FROM THE PRACTICE OF LAW FOR 30 DAYS PROBATED FOR 1 YEAR WITH CONDITIONS.	2008-SC-000727-KB TO BE PUBLISHED	IN SUPREME COURT
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AN UNNAMED ATTORNEY V. KENTUCKY BAR ASSOCIATION ORDER PRIVATELY REPRIMANDED MOVANT.	2008-SC-000728-KB TO BE PUBLISHED	IN SUPREME COURT
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**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

BRIAN JAROSZEWSKI, ET AL. V. CHARLES F. FLEGE, ET AL.	2008-SC-000112-DG	GRANT
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COMMONWEALTH OF KENTUCKY V. DAVID LAKE	2008-SC-000129-DG	KNOX
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COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH AND FAMILY SERVICES AND J.L.H., CHILD V. T.N.H., MOTHER AND P.N.Y., FATHER	2008-SC-000318-DGE	JEFFERSON
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EVELYN DENTON V. CITY OF FLORENCE	2008-SC-000324-DG	BOONE
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SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

WILLIAM LOFTON V. COMMONWEALTH OF KENTUCKY ENTERED: NOVEMBER 18, 2008	2006-SC-000392-D	JEFFERSON
THOMAS JOHNS, JR. V. COMMONWEALTH OF KENTUCKY	2007-SC-000761-D	FAYETTE
DONALD L. GREEN V. ELOYCE BARBOUR	2007-SC-000775-D	JEFFERSON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

ROB CARTER, ET AL. V. FRANKLIN COUNTY FISCAL COURT AND ITS MEMBERS OR THEIR SUCCESSORS, ET AL. COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000854-D	FRANKLIN
MICHAELA CARMEN SIMMONS V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000860-D	HARDIN
ROBERT POLK V. DOUG SAPP, ET AL.	2007-SC-000894-D	FRANKLIN
CSX TRANSPORTATION, INC. V. SPENCER LLOYD COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2007-SC-000915-D	JEFFERSON

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

SDK CORPORATION V. R.J. CORMAN, ET AL.	2008-SC-000019-D	JESSAMINE
PAUL J. PERCONTI, ET AL. V. COMMONWEALTH OF KENTUCKY, FINANCE AND ADMINISTRATION CABINET	2008-SC-000022-D	JEFFERSON
STEVEN JOHNSON V. COMMONWEALTH OF KENTUCKY	2008-SC-000052-D	JEFFERSON
PAUL WILLIAM LEWIS V. COMMONWEALTH OF KENTUCKY, ET AL.	2008-SC-000066-D	FRANKLIN
TED NOBLE, ET AL. V. SANITATION DISTRICT NO. 1	2008-SC-000073-D	CAMPBELL
JOAN GERSHMAN V. KENTUCKY RETIREMENT SYSTEMS, ET AL.	2008-SC-000078-D	FRANKLIN
CHESTER DUNCAN V. COMMONWEALTH OF KENTUCKY	2008-SC-000089-D	BELL
ROSE HUFF V. KENTUCKY RETIREMENT SYSTEMS	2008-SC-000096-D	FRANKLIN
GLEN ALLEN CENTERS V. COMMONWEALTH OF KENTUCKY	2008-SC-000097-D	WHITLEY
ROBERT HATTON V. COMMONWEALTH OF KENTUCKY	2008-SC-000122-D	BATH
DAN D. STEWART, JR., ET AL. V. JOHN C. SLUSHER, ET AL.	2008-SC-000126-D	KNOX
ANDREA JOHNSON V. COMMONWEALTH OF KENTUCKY	2008-SC-000160-D	MCLEAN

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

HERBERT HOOVER YONTS V. BRENDA KAY YONTS	2008-SC-000173-D	BOYD
STEVEN ENGLAND V. BARRY LAIRD	2008-SC-000202-D	GRAVES
BEVERLY A. DOERR V. TERRY J. DOERR	2008-SC-000295-D	JEFFERSON
DAVID B. COLE V. CITY COUNCIL OF THE CITY OF FLORENCE, KENTUCKY	2008-SC-000332-D	BOONE
COMMONWEALTH OF KENTUCKY V. TROY D. WADE	2008-SC-000340-D	MEADE
HON. LINDA S. ARMSTRONG, JUDGE, ANDERSON DISTRICT COURT, AND JOHN ELLIS, REAL PARTY IN INTEREST V. COMMONWEALTH OF KENTUCKY	2008-SC-000342-D	ANDERSON
PAUL MILLER FORD, INC. V. BRIDGETTE RUTHERFORD COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2008-SC-000362-D	PIKE
TERRI REDWINE V. CITY OF HOPKINSVILLE	2008-SC-000378-D	CHRISTIAN
KENTUCKY FARM BUREAU MUTUAL INSURANCE COMPANY V. WARREN L. SCHROEDER	2008-SC-000392-D	JEFFERSON
GEORGE G. SMITH V. COMMONWEALTH OF KENTUCKY	2008-SC-000394-D	GRAVES

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW –
NOVEMBER 19, 2008**

J.C.D., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2008-SC-000398-D	MARSHALL
JONATHAN DEYOUNG V. COMMONWEALTH OF KENTUCKY	2008-SC-000402-D	MCLEAN
RALPH FRANKLIN V. COMMONWEALTH OF KENTUCKY	2008-SC-000417-D	JEFFERSON
KENTUCKY GROWERS INSURANCE COMPANY V. KENTUCKY STATE POLICE, A DEPARTMENT OF THE KENTUCKY JUSTICE & PUBLIC SAFETY CABINET	2008-SC-000421-D	FRANKLIN
CHRISTOPHER GIBSON V. LEECO, INC., ET AL.	2008-SC-000425-D	PERRY
WARREN L. PULLIAM, ET AL. V. BARNETT BANK OF TAMPA, N/K/A/ BANK OF AMERICA, ET AL. COURT OF APPEALS' OPINION ORDERED NOT TO BE PUBLISHED.	2008-SC-000437-D	JEFFERSON
COMMONWEALTH OF KENTUCKY V. LORENZO LOPEZ	2008-SC-000495-D	FLEMING
T.S.R. V. CABINET FOR HEALTH AND FAMILY SERVICES	2008-SC-000524-DE	WHITLEY
B.K., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2008-SC-000594-DE	BULLITT
MELISSA KAY VELTROP V. COMMONWEALTH OF KENTUCKY	2008-SC-000603-D	BARREN

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

COURT ORDERS GRANTING PETITION FOR REHEARING – NOVEMBER 26, 2008

HYMAN & ARMSTRONG, P.S.C., ET AL. V. [2006-SC-000175-DG](#) JEFFERSON
RONALD GUNDERSON
(ADMINISTRATOR OF THE ESTATE OF
MARY MARGARET GUNDERSON) ET AL.

AND

SANDOZ PHARMACEUTICALS [2006-SC-000179-DG](#) JEFFERSON
CORPORATION
(N/K/A NOVARTIS PHARMACEUTICALS
CORPORATION) V.
RONALD GUNDERSON
(ADMINISTRATOR OF THE ESTATE OF
MARY MARGARET GUNDERSON) ET AL.
**ORDER MODIFIED THE OPINION OF THE
COURT BY JUSTICE SCHRODER, RENDERED
APRIL 24, 2008, BY SUBSTITUTION OF NEW OPINION.**

COURT ORDERS DENYING PETITION FOR REHEARING – NOVEMBER 26, 2008

FRED FURNISH V. [2004-SC-000387-MR](#) KENTON
COMMONWEALTH OF KENTUCKY
**ORDER MODIFIED THE OPINION OF THE
COURT BY CHIEF JUSTICE LAMBERT,
RENDERED AUGUST 23, 2007, BY
SUBSTITUTION OF NEW OPINION.**

DAVID A CLARK V. 2005-SC-000862-MR HARDIN
COMMONWEALTH OF KENTUCKY

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

COURT ORDERS DISMISSING

NACCO MATERIALS HANDLING
GROUP, INC. V.
JACK ROBERSON, ET AL.

2008-SC-000121-WC

FROM COURT
OF APPEALS

DARRELL B. HEDDEN V.
COMMONWEALTH OF KENTUCKY
ENTERED: OCTOBER 27, 2008

2008-SC-000502-MR

OHIO

NESCO, INC. V.
IMOGENE RICKETT, ET AL.
ENTERED: NOVEMBER 7, 2008

2008-SC-000553-WC

FROM COURT
OF APPEALS

COURT ORDERS

DANNY LITTLE V.
COMMONWEALTH OF KENTUCKY
**ORDER MODIFIED THE MEMORANDUM
OPINION OF THE COURT, RENDERED
OCTOBER 23, 2008, BY SUBSTITUTION
OF PAGES 1 AND 7.**
ENTERED: NOVEMBER 12, 2008

[2005-SC-000578-MR](#)

PIKE

CHRISTOPHER M. PENNINGTON V.
HEATHER M. MARCUM (F/K/A MILES)
**ORDER MODIFIED THE OPINION OF THE
COURT BY JUSTICE NOBLE, RENDERED
OCTOBER 23, 2008, BY SUBSTITUTION
OF PAGES 1 AND 12 AND BY ADDITION
OF PAGE 11.**
ENTERED: OCTOBER 24, 2008

[2006-SC-000642-DG](#)

BOYD

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

COURT ORDERS

DONALD C. CAMERON V. S. LYNEA CAMERON ORDER MODIFIED THE OPINION OF THE COURT BY JUSTICE CUNNINGHAM, RENDERED SEPTEMBER 18, 2008, BY SUBSTITUTION OF PAGES 1 AND 4. ENTERED: OCTOBER 24, 2008	2007-SC-000105-DG	NICHOLAS
WILBERT HARP V. COMMONWEALTH OF KENTUCKY ORDER CORRECTED THE MEMORANDUM OPINION OF THE COURT, RENDERED OCTOBER 23, 2008, BY SUBSTITUTION OF PAGE 1. ENTERED: OCTOBER 27, 2008	2007-SC-000288-MR	JEFFERSON
JOHN HUNT, OFFICER, ET AL V. JAMES D. LAWSON ORDER CORRECTED THE OPINION OF THE COURT BY CHIEF JUSTICE MINTON, RENDERED OCTOBER 23, 2008, BY SUBSTITUTION OF PAGE 1. ENTERED: OCTOBER 24, 2008	2007-SC-000438-DG	PIKE
ARTHUR P. HIPWELL V. KENTUCKY BAR ASSOCIATION ORDER CORRECTED THE OPINION AND ORDER ENTERED OCTOBER 23, 2008, BY SUBSTITUTION OF PAGE 1. ENTERED: OCTOBER 27, 2008	2008-SC-000267-KB	IN SUPREME COURT
JOHN PAUL NELSON II V. KENTUCKY BAR ASSOCIATION ORDER RESTORED MOVANT TO THE PRACTICE OF LAW.	2008-SC-000473-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

COURT ORDERS

JOE RAY TURNER V. 2008-SC-000619-D ALLEN
COMMONWEALTH OF KENTUCKY
**ORDER DENIED MOTION TO PROCEED
IN FORMA PAUPERIS.**
ENTERED: NOVEMBER 17, 2008

COMMONWEALTH OF KENTUCKY, 2008-SC-000810-OA IN SUPREME
BY AND THROUGH COURT
JACK CONWAY, ATTORNEY GENERAL V.
HON. ROGER L. CRITTENDEN,
SPECIAL JUDGE
FRANKLIN CIRCUIT COURT, ET AL.
**ORDER DENIED PETITIONER'S MOTION
FOR LEAVE TO FILE PETITION FOR WRIT
AND REQUEST FOR EMERGENCY RELIEF.**
ENTERED: NOVEMBER 13, 2008

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION – NOVEMBER 12, 2008**

LINDA MARIE HARPSTER V. 2008-SC-000813-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

MARK ALAN MATICS V. 2008-SC-000818-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

WILKES ROBERT ELLSWORTH V. 2008-SC-000840-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

BRAD ALAN SPRAYBERRY V. 2008-SC-000841-KB IN SUPREME
KENTUCKY BAR ASSOCIATION COURT

SUPREME COURT OF KENTUCKY

MINUTES

NOVEMBER 26, 2008

RELEASED: 10:00 A.M.

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE
KENTUCKY BAR ASSOCIATION – NOVEMBER 20, 2008**

GREGORY ALLEN LINDSEY V. KENTUCKY BAR ASSOCIATION	2008-SC-000852-KB	IN SUPREME COURT
RICHARD WAYNE CLONCH V. KENTUCKY BAR ASSOCIATION	2008-SC-000854-KB	IN SUPREME COURT
PETER JUSTIN STACKPOLE V. KENTUCKY BAR ASSOCIATION	2008-SC-000855-KB	IN SUPREME COURT
LAWRENCE J. DREYFUSS V. KENTUCKY BAR ASSOCIATION	2008-SC-000856-KB	IN SUPREME COURT
CINDY REBECCA LUNSFORD V. KENTUCKY BAR ASSOCIATION	2008-SC-000857-KB	IN SUPREME COURT

SUPREME COURT RECENT OPINIONS – THE KENTUCKY SUPREME COURT HAS COMPILED THE MOST RECENT OPINIONS INTO A ZIP FILE. PLEASE VIEW THE INSTRUCTIONS AND FILE BEFORE DOWNLOADING ON OUR SEARCHABLE OPINIONS WEBSITE, http://apps.kycourts.net/supreme/sc_opinions.shtm