

UPDATED: 5/14/2015

JUNE 2015

ORAL ARGUMENT

CALENDAR

Report Updated On: 5/14/2015

Updated 05/14/2015

JUNE, 2015

JUNE 15, 2015

1:00 – 1:30 P.M., (ET), ORAL ARGUMENT,
#2014-CA-0406, HBR BROWNSVILLE, LLC v JOHNNY
CHILDRESS – JUDGE STUMBO, PRESIDING JUDGE,
CHIEF JUDGE ACREE AND JUDGE TAYLOR, ASSOC.

1:45 – 2:25 P.M., (ET), ORAL ARGUMENT,
#2013-CA-1159/1461, MARK SIETSEMA v JOHN ADAMS –
JUDGE STUMBO, PRESIDING JUDGE, JUDGE KRAMER
AND JUDGE DEBRA LAMBERT, ASSOC. **40 MINUTES

2:00 P.M. (ET) – MOTION PANEL – JUDGE CLAYTON,
PRESIDING JUDGE, JUDGE DIXON AND JUDGE
TAYLOR, ASSOC.

JUNE 16, 2015

10:30 A.M. (ET) - COURT MEETING IN LEXINGTON,
KENTUCKY AT THE HYATT REGENCY, THE HENRY
CLAY ROOM.

PHONE NUMBERS WHERE PANEL MEMBERS CAN BE REACHED WHEN ORAL ARGUMENTS SCHEDULED:

FRANKFORT – Contact Patricia Brauer – (502) 573-7920
LOUISVILLE – Contact Danae Bransford – (502) 595-3440

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Monday, June 15, 2015

01:00 PM PJ: STUMBO, HON. JANET L.

ACREE, HON. GLENN E.

TAYLOR, HON. JEFF S.

2014CA000406

HBR BROWNSVILLE, LLC v JOHNNY CHILDRESS

Appeal from order denying arbitration in wrongful death suit against nursing home and its administrator.

CIVIL	EDMONSON COUNTY	HON RONNIE C DORTCH
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
AHRENS, JAN LOMOND, KRISTIN MILLER, DONALD II		HBR BROWNSVILLE, LLC
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
LOGSDON, GARY MAIER, KURT MINNER, MATTHEW		CHILDRESS, JOHNNY

**** NOTE: **PREVIOUSLY ON MARCH 30, 2015 @ 1:30 PM.**

01:45 PM PJ: STUMBO, HON. JANET L.

KRAMER, HON. JOY A.

LAMBERT, HON. DEBRA HEMBREE

2013CA001159

MARK SIETSEMA v JOHN ADAMS

2013CA001461

Appeal from grant of summary judgment in suit against medical providers for detention facility. Did trial court err in holding that private for-profit medical provider company was entitled to qualified official immunity and that Appellant needed to employ an expert to establish a causal link between MD and nursing staffs' actions to injury suffered by appellant? Further, did trial court err in holding there was no issue of material fact as to the meaning and clarity of medical orders?

CIVIL	HARDIN COUNTY	HON KELLY MARK EASTON
<u>Appellant Atty:</u>		<u>Appellant Name:</u>
BELZLEY, GREGORY CANON, DANIEL		SIETSEMA, MARK
<u>Appellee Atty:</u>		<u>Appellee Name:</u>
BROWN, DANIEL GAZAK, DAVID SHILTS, ROBERT		ADAMS, JOHN
BRANNON, MARGARET DUNCAN, ROBERT		WALKUP, ELIZABETH

**** NOTE: **PREVIOUSLY ON FEBRUARY 10, 2015 AT 10:00 AM (ET) IN FRANKFORT, KENTUCKY. **40 MINUTE ORAL.**

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Thursday, June 25, 2015

11:15 AM PJ: KRAMER, HON. JOY A.

COMBS, HON. SARA W.

TAYLOR, HON. JEFF S.

2014CA000187 KEVIN MIDDLETON v GARRARD COUNTY, KENTUCKY

2014CA000235

Civil Case: Whether the trial court erred in its ruling regarding whether Garrard County had authority to reduce the salary of Appellant, a county jailer, during an unexpired term; the County cross appeals regarding whether the Appellant is prohibited from seeking a salary above the amount he accepted prior to his appointment.

<p>CIVIL</p> <p style="text-align: center;">GARRARD COUNTY</p> <p><u>Appellant Atty:</u></p> <p>CALVERT, GERRY II LONG, JAMES JR</p> <hr/> <p><u>Appellee Atty:</u></p> <p>GAY, JONATHAN MACK, ERICA</p>	<p style="text-align: center;">HON C. HUNTER DAUGHERTY</p> <p><u>Appellant Name:</u></p> <p>MIDDLETON, KEVIN</p> <hr/> <p><u>Appellee Name:</u></p> <p>GARRARD COUNTY, KENTUCKY</p>
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**** NOTE:**

01:15 PM PJ: TAYLOR, HON. JEFF S.

COMBS, HON. SARA W.

KRAMER, HON. JOY A.

2014CA000341 CHARLES COBERLY v COMMONWEALTH OF KENTUCKY

Whether circuit court erred by instructing the jury upon one count of first-degree criminal mischief (felony) rather than twelve counts of third-degree criminal mischief (misdemeanor).

<p>CRIMINAL</p> <p style="text-align: center;">GREENUP COUNTY</p> <p><u>Appellant Atty:</u></p> <p>POTTER, SAMUEL SCHMIDT, KATHLEEN</p> <hr/> <p><u>Appellee Atty:</u></p> <p>CONWAY, JACK HIGHTOWER, COURTNEY</p>	<p style="text-align: center;">HON ROBERT B. CONLEY</p> <p><u>Appellant Name:</u></p> <p>COBERLY, CHARLES</p> <hr/> <p><u>Appellee Name:</u></p> <p>COMMONWEALTH OF KENTUCKY</p>
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**** NOTE:**

**LOCATION: COURT OF APPEALS COURTROOM, 360 DEMOCRAT DRIVE,
FRANKFORT, KENTUCKY**

DATE: Thursday, June 25, 2015

02:00 PM PJ: TAYLOR, HON. JEFF S.

COMBS, HON. SARA W.

KRAMER, HON. JOY A.

2013CA001961 CLARENCE ROGERS v COMMONWEALTH OF KENTUCKY

2013CA001962

2013-CA-001961 and 2013-CA-001962 - Whether circuit court erred by failing to strike a juror for cause; whether circuit court erred by denying appellant probation and by denying the motion for mistrial.

CRIMINAL

HARRISON COUNTY

HON JAY DELANEY

Appellant Atty:

SLATER, ROBIN

Appellant Name:

ROGERS, CLARENCE

Appellee Atty:

MOORE, JASON

Appellee Name:

COMMONWEALTH OF KENTUCKY

**** NOTE:**

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE,

DATE: Thursday, June 25, 2015

**01:00 PM PJ: CLAYTON, HON. DENISE G. LAMBERT, HON. DEBRA HEMBREE LAMBERT, HON. JAMES H.
2014CA000964 WILDCAT PROPERTY MANAGEMENT, LLC v LINDSAY FRANZEN**

An appeal from the denial of Wildcat Property's motion for summary judgment against appellees breach of a lease and the grant of partial summary judgment based on an assertion that the house was not habitable. The case concerns the impact of KRS 383.500-383.715 Uniform Residential Landlord-Tenant Act "URLTA".

CIVIL	FAYETTE COUNTY	HON JAMES D ISHMAEL
	<u>Appellant Atty:</u>	<u>Appellant Name:</u>
	BILLINGS, JOHN THACKER, CHRISTOPHER THOMPSON, GARY	WILDCAT PROPERTY MANAGEMENT, LLC
	<u>Appellee Atty:</u>	<u>Appellee Name:</u>
	MARSHALL, STEPHEN	GREATER LEXINGTON APARTMENT ASSOCIATION
	REDFORD, CARROLL III	FRANZEN, LINDSAY
	MCGEEHAN, MARY	MCGEEHAN, MARY
	STINETORF, J	REUSS, STEPHANIE
	MULLOY, TIMOTHY	THE LOUISVILLE APARTMENT ASSOCIATION (TLAA)

**** NOTE:**