



Court of Appeals

700 Democrat Drive
Frankfort, Kentucky 40601
502-573-7920

Joy A. Kramer
Chief Judge

www.courts.ky.gov

Contact: Jamie Neal, Public Information Specialist, Administrative Office of the Courts
502-573-2350, jamieneal@kycourts.net

For Immediate Release

Court of Appeals to hear civil and criminal cases March 14-15 in Stanton **Proceedings are open to the public**

FRANKFORT, Ky., March 7, 2017 – The [Kentucky Court of Appeals](#) will convene March 14-15 in Stanton to hear civil case appeals from Bath, Franklin, Jefferson and Pike counties and a criminal case appeal from Campbell County. Proceedings are open to the public and will take place in the Powell County Courthouse at 525 Washington St.

Three-judge panels composed of [Court of Appeals Judges](#) Sara Walter Combs, James H. Lambert, Irv Maze and Janet L. Stumbo will hear the cases.

Nearly all cases heard by the Kentucky Court of Appeals come to it on appeal from a lower court. If a case is tried in Circuit Court or District Court and the losing parties involved are not satisfied with the outcome, they may ask for a higher court to review the correctness of the trial court's decision. Some cases, such as criminal case acquittals and divorces, may not be appealed. In a divorce case, however, child custody and property rights decisions may be appealed. Cases are not retried in the Court of Appeals. Only the record of the original court trial is reviewed, with attorneys presenting the legal issues to the court for a decision.

Fourteen judges, two elected from seven appellate court districts, serve on the Court of Appeals. The judges are divided into panels of three to review and decide cases, with the majority determining the decision. The panels do not sit permanently in one location, but travel throughout the state to hear cases.

Administrative Office of the Courts

The Administrative Office of the Courts in Frankfort is the operations arm for the state court system. The AOC supports the activities of nearly 3,400 court system employees and 404 elected justices, judges and circuit court clerks. As the fiscal agent for the state court system, the AOC executes the Judicial Branch budget.

STANTON DOCKET

To view more information about a case, input the case number from the docket on the [Court of Appeals cases page](#).

TUESDAY, MARCH 14, 2017

1 PM ET

2015CA001857

ALETHA VAN HUET v JOSEPH GRANT HALL

Unique case involving enforceability of a property settlement agreement allegedly time-barred involving retirement funds that were a marital asset and are now supposedly uncollectable based on a statute of limitations. Case of first impression.

Judge Combs will be the presiding judge for the appeal.

Franklin County judge who presided in case: Judge Squire N. Williams III

Appellant attorneys: Nicholas Anderson and Howard Douglas

Appellee attorney: Kami Brumley

2:45 PM ET

2015CA001248

ADKINS PLAINTIFFS v ROBERT GREGORY STAPLETON

Appeal from dismissal of against Cabinet inspectors for damages caused by failure to enforce mining regulations. Whether settlement of prior litigation against coal company precludes current claims based on res judicata, collateral estoppel, accord & satisfaction & double recovery.

Judge Maze will be the presiding judge for the appeal.

Pike County judge who presided in case: Judge Johnny Ray Harris

Appellant attorney: Ned Pillersdorf

Appellee attorneys: Charles Baird, Susan Maines and Adam Collins

WEDNESDAY, MARCH 15, 2017

10:30 AM ET

2015CA001601

FIRST STOP URGENT CARE CENTER, PSC v UNIVERSITY HEALTH CARE INC.

Appeal from summary judgment on claim alleging wrongful termination of a health-services provider contract. Existence of genuine issues of material fact on whether there was a breach, and application of “any willing provider” statute.

Judge Maze will be the presiding judge for the appeal.

Jefferson County judge who presided in case: Judge Mitch Perry

Appellant attorneys: Scott Whonsetler and David Zika

Appellee attorneys: Stephen Pence and Stanley Whetzel Jr.

11:15 AM ET

2015CA001675

RIDEGEWAY NURSING & REHABILITATION FACILITY, LLC v STELLA COLLINS

Appeal from jury verdict in wrongful death/negligence claim against nursing home. Whether separate consulting company was engaged in a joint venture with nursing home. Sufficiency of evidence of negligence, and gross negligence. Award and amount of punitive damages.

Judge Maze will be the presiding judge for the appeal.

Bath County judge who presided in case: Judge Angela McCormick Bisig

Appellant attorneys: Christopher Brooker, Amanda Edge, John Forgy, Lawrence Forgy Jr. and Virginia Snell

Appellee attorneys: Corey Fannin, Tyler Forsythe and Robert Salyer

1:15 PM ET

2016CA000473

DONALD REDD v COMMONWEALTH OF KENTUCKY

Appeal from convictions for TICS and importing heroin. Double Jeopardy; Denial of motion for Admonition.

Judge Maze will be the presiding judge for the appeal.

Campbell County judge who presided in case: Judge Julie Reinhardt Ward

Appellant attorneys: Steven Buck and Kathleen Schmidt

Appellee attorney: Emily Lucas

2 PM ET

2016CA000496

BOARD OF DIRECTORS FOR THE COMMONWEALTH POSTSECONDARY v BETH LEWIS MAZE

Appeal from declaratory judgment addressing the application and constitutionality of the 2014 amendments to the KAPT statutes. Whether contracts permit the legislature to retroactively modify contracts. Whether amendments impermissibly impair the state's obligations under the KAPT contracts.

Judge Maze will be the presiding judge for the appeal.

Franklin County judge who presided in case: Judge Thomas D. Wingate

Appellant attorney: Laura Tipton

Appellee attorney: Robert Rowland

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