



## Supreme Court of Kentucky

Chambers, State Capitol  
Frankfort, Kentucky 40601  
502-564-4162

**John D. Minton, Jr.**  
Chief Justice of Kentucky

[kycourts.gov](http://kycourts.gov)

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*For Immediate Release*



### **Supreme Court of Kentucky to hear arguments Oct. 21-23 in Frankfort Public can watch via livestream**

FRANKFORT, Ky., Oct. 19, 2020 – The [Supreme Court of Kentucky](http://kycourts.gov) will convene Wednesday-Friday, Oct. 21-23, to hear oral arguments in cases on appeal from Fayette, Hopkins, Kenton, Scott and Woodford counties. Proceedings will take place in the Supreme Court Courtroom on the second floor of the state Capitol in Frankfort.

The public may observe oral arguments via the [Supreme Court livestream](http://kycourts.gov) on the Kentucky Court of Justice website or via [KET's livestream](http://ket.com). KET will also show oral arguments on its [KY](http://ket.com)

[Channel](#), which is available in most of the state. To view arguments later, visit the [Supreme Court section](#) of KET's website.

With the Capitol closed to visitors due to COVID-19, in-person attendance will be limited to attorneys, parties and the media. Masks are required and social distancing will be observed in the courtroom. Visit [COVID-19 and the Courts](#) for ongoing updates on how the state court system is handling the pandemic.

The Supreme Court is the state court of last resort and the final interpreter of Kentucky law. [Seven justices](#) sit on the Supreme Court and all seven justices rule on appeals that come before the court. The justices are elected from seven appellate districts and serve eight-year terms. A chief justice, chosen for a four-year term by fellow justices, is the administrative head of the state's court system and is responsible for its operation. The Supreme Court may order a ruling or opinion to be published, which means that the ruling becomes the case law governing all similar cases in the future in Kentucky.

### **Oral Arguments**

WEDNESDAY, OCT. 21, 2020

**9:30 a.m. EDT**

2018-SC-0577-DG

**ABBOTT, INC. V. SAMUEL GUIRGUIS, ET AL.**

Real Property. Champerty. Judicial Recusal. Issues include whether the circuit court abused its discretion by refusing to recuse from consideration of a land ownership dispute where the judge, prior to taking the bench, and prior to the dispute before the circuit court, was involved in an alleged trespass on nearby land owned by one of the parties.

[View case briefs](#)

LAMBERT, J., NOT SITTING.

Discretionary Review Granted: 6/05/2019

Hopkins Circuit Court, Honorable James Claud Brantley, Judge

Attorneys for Appellant: Sheryl G. Snyder, Thomas E. Springer, III

Attorneys for Appellees: William Deatherage, Jr., Mark Alexander Gilbert, Todd Andrew Farmer, Richard E. Peyton

**11 a.m. EDT**

2018-SC-0671-DG

**EUGENE PHILLIPS, ET AL. V. JOHN ROSQUIST, ET AL.**

Real Property. Judicial Recusal. Issues include review of an appellate court panel member's refusal to recuse from a property dispute concerning the appellate judge's residential subdivision.

[View case briefs](#)

Discretionary Review Granted: 8/21/2019  
Scott Circuit Court, Honorable Paul F. Isaacs, Judge

Attorneys for Appellant: Neil Edward Duncliffe  
Attorneys for Appellees: Derise Duane Cook, John Milton Sosbe

THURSDAY, OCT. 22, 2020

**9:30 a.m.**

2019-SC-0503-T

**MARK SMITH, ET AL. V. WYNETTA FLETCHER, APRN, ET AL.**

Medical Review Panel Act. Statute of Limitations. Equitable Tolling Doctrine. Issues include whether the tolling provisions of the Medical Review Panel Act (MRPA), KRS 216C.005 et seq., were retroactively nullified by the Supreme Court of Kentucky's decision in Commonwealth of Kentucky v. Claycomb, 566 S.W.3d 202 (Ky. 2018), which declared the MRPA unconstitutional in its entirety.

[View case briefs](#)

VANMETER, J., NOT SITTING.

Transfer Granted: 10/31/2019

Fayette Circuit Court, Honorable Lucy Anne VanMeter, Judge

Attorneys for Appellants: Kevin Crosby Burke, Jamie Kristin Neal, Kevin B. Sciantarelli  
Attorneys for Appellees: Joshua F. Barnette, Bethany A. Breetz, Robin Elaine McGuffin, Ashley Willis Ward, Jeffery Todd Barnett, Holly Renee Iaccarino, Jessie Leigh Mullaney

**11 a.m.**

2019-SC-0248-DG

**COMMONWEALTH OF KENTUCKY V. KEITH JENNINGS**

Criminal Law. Sex Offense. Probation. Access to Internet. First Amendment. Issues include whether a probation restriction on a registered sex offender's internet access is warranted when the original crime did not involve the use of the internet; and, whether such a restriction is violative of the First Amendment.

[View case briefs](#)

Discretionary Review Granted:10/24/2019

Kenton Circuit Court, Honorable Gregory M. Bartlett, Judge

Attorneys for Appellant: Daniel J. Cameron, Stephen Chad Meredith, James Coleman Shackelford

Attorneys for Appellee: Shannon Renee Dupree

FRIDAY, OCT. 23, 2020

**9:30 a.m.**

2019-SC-0468-DG

**UNIVERSITY OF KENTUCKY V. KERNEL PRESS, INC. D/B/A THE KENTUCKY KERNEL**

Kentucky Open Records Act. Title IX Investigation. Education Law. Family Education Rights and Privacy Act (FERPA). Issues include whether materials compiled as part of a state university's Title IX investigation, concerning student allegations of sexual assault by a university professor, requested pursuant to Kentucky's Open Records Act, KRS 61.870 et seq., are exempt from disclosure under FERPA.

[View case briefs](#)

Discretionary Review Granted: 12/13/2019

Fayette Circuit Court, Honorable Thomas L. Clark, Judge (Ret.)

Attorneys for Appellants: Bryan Howard Beauman, Donald Callaway Morgan, Joshua Michael Salsburey, William Eugene Thro

Attorneys for Appellees: Thomas Walcutt Miller, Elizabeth Catesby Woodford

**11 a.m.**

2018-SC-0241-MR

**RONALD EXANTUS V. COMMONWEALTH OF KENTUCKY**

Criminal Law. Mental Illness. Constitutional Law. Issues include whether the verdicts of not guilty by reason of insanity and guilty but mentally ill are returned by the jury were logically inconsistent and, therefore, violative of Exantus's constitutional rights; and, whether sufficient evidence existed to support the jury's differing findings of culpable mental states.

[View case briefs](#)

Oral Argument Granted: 3/25/2020

Woodford Circuit Court, Honorable Phillip R. Patton, Special Judge

Attorneys for Appellant: Roy Alyette Durham, II and Karen Shuff Maurer

Attorneys for Appellees: Daniel J. Cameron, Thomas Allen Van De Rostyne

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