

COMMONWEALTH OF KENTUCKY

Board of Claims

Agenda

August 15, 2013

Summer Absent

The Board of Claims received 55 new claims during the month of July, 2013. A total of 84 claims were set up, according to Assistant Clerk Paula Woolums. Paula also returned four (4) claims for lack of jurisdiction.

Investigator Jackie Lynch decided 33 claims under \$1,000.00 in July, 2013. Jackie reports that 24 of these claims were denied and nine (9) were awarded, for a total amount awarded of \$2,826.67.

At its Board meeting on July 18, 2013, the Board dismissed 13 claims and awarded four (4) claims totaling \$6,245.69. Together with the claims investigated in-house, the Board dismissed a total of 57 claims and awarded a total of 13 claims for a total amount awarded of \$9,072.36 in July, 2013.

September - begin e-mailing tickets.

Full Board Review

BC-2013-00120

Kristi Beckelheimer vs. Transportation Cabinet / Dept. of Highways

Reverse & Award

Notes: 5/23/13 Board ordered dismissed
5/29/13 Called in, asking for a FBR (\$500)
7/16/13 Written request for FBR

BC-2013-00209

Schjenneng Jensen vs. Justice and Public Safety Cabinet / Dept. of Corrections

EP to write a ltr re cameras to be working.

Notes: 6/14/13 Board ordered dismissed
6/26/13 Claimant requests FBR (\$529.91)

Uphold. Admitted

BC-2013-00218

Uriah Pasha vs. Justice and Public Safety Cabinet / Dept. of Corrections

Uphold. original

Notes: 7/23/13 Board ordered \$26.09
7/25/13 Respondent requests FBR (116.69)
Claimant received all but \$26.09 in purchases and reimbursements.

Motions

BC-2009-00648

Gregory Valentine vs. Justice and Public Safety Cabinet / Dept. of Corrections

✓

Notes: Claimant's Voluntary Motion to Dismiss.

Counsel's Recommendation: Enter a Final Order dismissing the claim with prejudice upon the Claimant's motion.

BC-2012-00265

Leisha Nickell vs. Justice and Public Safety Cabinet

Notes: April 18, 2013- At counsel's recommendation, the Board Set Aside the Default Order and Re-opened the Claim.
May 20, 2013 Respondent entered a Motion to Reconsider

Counsel's Recommendation: Overrule the Motion to Reconsider and Require an Answer to the Claim from the Respondent. ✓

BC-2013-00201

Roman Lopez-Mariscal; Carmela Lopez vs. Justice and Public Safety Cabinet / Ky. State Police Dept.

Notes: Respondent's Motion to Dismiss; no response filed by the Claimants.

Counsel's Recommendation: Enter a Final Order dismissing the claim with prejudice as time-barred pursuant to KRS 44.110. ✓

BC-2013-00277

Marilyn Childers vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Motion to Dismiss; no response filed by the Claimant.

Counsel's Recommendation: Enter a Final Order dismissing the claim with prejudice as time-barred pursuant to KRS 44.110. ✓

BC-2013-00280

Charon Anderson vs. Justice and Public Safety Cabinet / Dept. of Corrections

Notes: Respondent's Motion to Dismiss and Claimant's response filed thereto.

Counsel's Recommendation: Enter a Final Order sustaining the Motion to Dismiss for failure to state a claim upon which relief can be granted. ✓

BC-2013-00284

Troy Wood vs. Bullitt County Board of Education

Notes: Respondent's Motion to Dismiss and Claimant's response filed thereto.

Counsel's Recommendation: Enter an Order holding the claim in abeyance pending a Bullitt Circuit Court matter and reserving the Motion to Dismiss. ✓

BC-2013-00304

Bernard Volak vs. Transportation Cabinet / Dept. of Highways

Notes: Respondent's Motion to Dismiss; no response filed by the Claimant.

Counsel's Recommendation: Enter an Order of Dismissal pursuant to KRS 44.073(15). ✓

Recommended Order

BC-2005-00964

Steve Bray vs. Cabinet for Health and Family Services

Notes: Hearing Officer Braxton Crenshaw's Recommended Order of Dismissal.

Counsel's Recommendation: Adopt the hearing officer's recommendation and dismiss the claim with prejudice for Claimant's failure to abide by the orders of the hearing officer. ✓

BC-2011-01005

Ruby Hunt vs. Transportation Cabinet / Dept. of Highways

Notes: Agreed Order of Dismissal filed by Hearing Officer Braxton Crenshaw.

Counsel's Recommendation: Enter a Final Order dismissing the claim with prejudice as agreed by the parties. ✓

BC-2011-01020

Michael Salyer; Jammie Salyer vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Braxton Crenshaw's Recommended Opinion and Order granting the Respondent's Motion to Dismiss and Claimants' exceptions filed thereto.

Counsel's Recommendation: Reject the recommendation of the hearing officer and enter an Order overruling the Motion to Dismiss and reassigning the claim to Hearing Officer Mike Wilson for further proceedings. ✓

BC-2012-00148

Kathryn Marquell vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Hearing Officer Jan West's Recommended Order of Dismissal.

Counsel's Recommendation: Adopt the recommendation of the hearing officer and dismiss the claim with prejudice for Claimant's failure to abide by the orders of the hearing officer. ✓

BC-2012-00491

Don Jallo vs. Tourism, Arts and Heritage Cabinet / Ky. State Fair Board

Notes: Hearing Officer Jan West's Findings of Fact, Conclusions of Law and recommended Order denying payment of the claim.

Counsel's Recommendation: Enter a Final Order adopting the recommendation of the hearing officer and dismissing the claim with prejudice. ✓

BC-2012-00536

Barbara Saltsman vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Florence Huffman's Recommended Order denying Respondent's Motion to Dismiss.

Counsel's Recommendation: Adopt the recommendation of the hearing officer overruling the Motion to Dismiss. ✓

BC-2013-00014

Greg Poole vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Florence Huffman's Recommended Findings of Fact, Conclusions of Law and Order denying Respondent's Motion to Dismiss and Respondent's exceptions filed thereto.

Counsel's Recommendation: Adopt the recommendation of the hearing officer overruling the Motion to Dismiss. ✓

BC-2013-00071

Yasmin Lee vs. Transportation Cabinet / Dept. of Highways

Notes: Hearing Officer Jan West's Recommended Order of Dismissal.

Counsel's Recommendation: Adopt the recommendation of the hearing officer dismissing the claim with prejudice for failure to abide by the orders of this tribunal. ✓

Total number of Claims: 18