

# Commonwealth of Kentucky

## Court of Appeals

NO. 2024-CA-0101-ME

ABIGAIL CAUDILL, WARDEN

APPELLANT

v.

EXPEDITED HABEAS CORPUS APPEAL  
FROM FAYETTE CIRCUIT COURT  
HONORABLE JULIE M. GOODMAN, JUDGE  
ACTION NO. 23-CI-02878

GREGORY SIMPSON

APPELLEE

### ORDER

\* \* \* \* \*

BEFORE: COMBS, GOODWINE, AND McNEILL, JUDGES.

On June 5, 2024, this Court entered an order reversing the Fayette Circuit Court's order granting Simpson's petition for a writ of habeas corpus and directed the Fayette Circuit Court to enter an order denying the petition for a writ of habeas corpus. The Fayette Circuit Court entered an order on June 25, 2024, denying Simpson's petition for a writ of habeas corpus as directed.

On June 25, 2024, Simpson filed a motion for reconsideration of this Court's June 5, 2024 order. No response to the motion has been filed.

Having considered the motion for reconsideration, and being otherwise sufficiently advised, this Court ORDERS that this motion is hereby

DENIED.

Further, upon review of this matter and, considering this Court's order entered on July 23, 2024, in 2024-CA-0847-OA granting the Warden's RAP<sup>1</sup> 60(H)(1) motion for emergency relief, this Court hereby SETS ASIDES this Court's June 5, 2024 order with respect to the Warden's motion to set aside the appeal bond. This Court ORDERS that the Warden's motion to set aside the appeal bond be and hereby is GRANTED.

According to CourtNet<sup>2</sup>, there is ongoing litigation in Fayette Circuit Court regarding whether Simpson should be remanded to custody. This Court clarifies that this Court's June 5, 2024 order entered herein directing the Fayette Circuit Court to enter an order denying the petition for a writ of habeas corpus and this Court's order entered in 2024-CA-0847-OA granting the Warden's RAP 60(H)(1) motion for emergency relief, shall result in Simpson being remanded to custody. The Fayette Circuit Court is hereby ORDERED to enter such order consistent with this order to effectuate same.

ENTERED: 07/31/2024

  
\_\_\_\_\_  
JUDGE, COURT OF APPEALS

---

<sup>1</sup>Kentucky Rules of Appellate Procedure.

<sup>2</sup> CourtNet is an online search tool used to find civil and criminal cases. CourtNet is not an official record.