Commonwealth of Kentucky

Court of Appeals

NO. 2025-CA-1295-MR

JAMES J. KELLER APPELLANT

v. APPEAL FROM JEFFERSON FAMILY COURT
HONORABLE ANGELA JOHNSON, JUDGE
ACTION NO. 24-CI-502879

TAHLOR GOUIN APPELLEE

ORDER

** ** ** ** **

BEFORE: ACREE, CALDWELL, AND L. JONES, JUDGES.

This action is before the Court on Appellant's motion to dismiss the above-styled appeal, or alternatively, for the Court to issue an opinion *sua sponte*.

"'It is not our function as an appellate court to research and construct a party's legal arguments.' *Hadley v. Citizen Deposit Bank*, 186 S.W.3d 754, 759 (Ky. App. 2005). We will not search the record to construct [the appellant's] argument for him, nor will we go on a fishing expedition to find support for his underdeveloped arguments." *Prescott v. Commonwealth*, 572 S.W.3d 913, 923 (Ky. App. 2019). Appellant has not filed a brief in this case despite ample

opportunity to do so.[1] Without an appellant's brief, there is nothing for the Court to review.

For these reasons, Appellant's request for the Court to issue an opinion *sua sponte* is DENIED. It is ORDERED that Appellant's motion to dismiss be, and is hereby, GRANTED. *Milby v. Mears*, 580 S.W.2d 724, 727 (Ky. App. 1979) (citations omitted) (It is well-established that "an appeal may be dismissed when the appellant fails to file a brief in support of his position.").

ENTERED: November 16, 2026

HON. LISA P. JONES
JUDGE, COURT OF APPEALS

[1] The Court does not construe Appellant's request for the Court to issue an opinion *sua sponte* as a motion for additional time. Although Appellant has chosen to represent himself in this proceeding, he has a juris doctorate degree; and he has previously filed a motion for additional time to file a prehearing statement and a motion for additional time to file a brief.