Commonwealth of Kentucky

Court of Appeals

NO. 2026-CA-0210-OA

DOUGLAS RAY LINDSEY — PETITIONER

v. AN ORIGINAL ACTION ARISING FROM JEFFERSON FAMILY COURT ACTION NOS. 23-CI-501695 AND 23-D-500570-001

HONORABLE LORI N. GOODWIN — RESPONDENT

AND

SAMANTHA DAWN HAMMOND — REAL PARTY IN INTEREST

ORDER

** ** ** ** **

BEFORE: CETRULO, A. JONES, AND KAREM, JUDGES.

Petitioner, Douglas Lindsey ("Lindsey"), filed the above-styled original action pursuant to RAP[1] 60 seeking a writ of prohibition and mandamus. Specifically, Lindsey requests the Court issue an order: (1) immediately staying all proceedings in the underlying custody and domestic violence cases; (2) directing the Respondent Judge to comply with the Supreme Court's October 30, 2025,

[1] Kentucky Rules of Appellate Procedure.

order regarding his request for recusal; (3) to prohibit the Respondent Judge "from vacating the Jan 28 record or exercising further jurisdiction"; and (4) transferring the underlying matters to Hart Circuit Court. For the following reasons, the petition is denied.

Lindsey also filed a motion requesting that the Court hear this original action along with a related appeal, Case No. 2026-CA-1053. This motion is likewise denied.

I. BACKGROUND

Lindsey and Real Party in Interest, Samantha Hammond ("Hammond"), share a minor child. Based on the limited record available to the Court, Lindsey and Hammond were awarded joint custody and equal parenting time in a related paternity action.

In February 2023, Hammond filed a domestic violence petition against Lindsey, and a domestic violence order ("DVO") was entered on March 20, 2023. In January 2026, Hammond moved to amend the DVO so that it would be extended for an additional three years. Ultimately, an amended DVO was entered on August 19, 2026. Lindsey then filed a notice of appeal initiating Case No. 2026-CA-1053.

Following the initial entry of the DVO in 2023, Lindsey filed a civil custody action seeking modification of custody, parenting time, and child support.

The civil custody action has been litigious. In October 2024, the family court entered an order regarding child support, and Lindsey filed a notice of appeal, initiating Case No. 2025-CA-1063. In October 2025, Lindsey filed an affidavit pursuant to KRS[2] 26A.020 seeking the recusal of the Respondent Judge. Chief Justice Debra Lambert issued an order on October 30, 2025, finding that Lindsey had never filed a motion asking the Respondent Judge to recuse and that she should have been given an opportunity to rule on such a motion before Lindsey filed a KRS 26A.020 affidavit. As a result, the Chief Justice ordered

> that this matter is remanded to the Jefferson Circuit Court with direction to Judge Goodwin to review Mr. Lindsey's affidavit as a motion to recuse and either grant or deny the request. If the motion is denied, a copy of Judge Goodwin's order shall be certified by the Jefferson Circuit Court Clerk to the Chief Justice, who will then review the affidavit as a request for disqualification under KRS 26A.020.

The Respondent Judge issued an order on February 25, 2026, denying Lindsey's request for her to recuse, and on April 2, 2026, the Chief Justice, likewise, entered an order denying the request for disqualification.

Also in February 2026, Lindsey filed a motion for a change of venue to Hart Circuit Court because, he argued, it would be unbiased. Lindsey filed his petition for a writ of prohibition and mandamus in this Court on February 20,

[2] Kentucky Revised Statutes.

2026, before the family court could rule on his motion regarding venue. While this original action was pending, the family court issued an order on July 28, 2026, regarding the child's school and modifying parenting time. The order specifically references Lindsey's motion for a change of venue and details the Respondent Judge's warning to Lindsey that if they proceeded with the hearing then his argument regarding venue would be waived. Soon after entry of the July 28th order, Lindsey filed a notice of appeal initiating Case No. 2026-CA-0943.

Finally, the Court would note that until October 2025, Lindsey was represented by counsel in the underlying actions; however, following the withdrawal of his last attorney, Lindsey decided to proceed *pro se*. Hammond, too, has recently decided to represent herself. These parties currently have three direct appeals and this original action pending before the Court.

II. ANALYSIS

It is well established in Kentucky that a writ of prohibition is an extraordinary remedy and may only be granted:

> upon a showing that (1) the lower court is proceeding or is about to proceed outside of its jurisdiction and there is no remedy through an application to an intermediate court; or (2) that the lower court is acting or is about to act erroneously, although within its jurisdiction, and there exists no adequate remedy by appeal or otherwise and great injustice and irreparable injury will result if the petition is not granted.

Hoskins v. Maricle, 150 S.W.3d 1, 10 (Ky. 2004).

Lindsey does not specify under which class of writ he seeks relief. Considering Lindsey, *pro se*, filed his petition, and that the family court has subject matter jurisdiction over the underlying case, the Court will briefly review his arguments under the second-class writ standard.[3]

To qualify for a second-class writ, Lindsey must show the family court is acting or about to act erroneously, there is no adequate remedy by appeal or otherwise, and he will suffer irreparable harm. *Hoskins*, 150 S.W.3d at 10. "No adequate remedy by appeal or otherwise means that the injury to be suffered [] could not therefore be rectified in subsequent proceedings in the case." *Ridgeway Nursing & Rehab. Facility, LLC v. Lane*, 415 S.W.3d 635, 640 (Ky. 2013) (internal quotation marks and citation omitted). "Lack of an adequate remedy by appeal is an absolute prerequisite to the issuance of a writ under this second category." *Independent Order of Foresters v. Chauvin*, 175 S.W.3d 610, 615 (Ky. 2005) (citations omitted).

Here, Lindsey is not entitled to the relief he requests because he has an adequate remedy by appeal or otherwise. As the Court has already stated, there are three direct appeals currently pending, two related to the civil custody action and one regarding the domestic violence action. All the issues raised in the petition for a writ of prohibition and mandamus can be addressed in these direct

[3] *See* Kentucky Revised Statute 23A.100.

appeals. Moreover, the limited record indicates that the Respondent Judge and circuit court clerk have complied with the Chief Justice's October 30, 2025, order. To the extent Lindsey would like this Court to further consider whether the Respondent Judge should have recused, he can raise the issue in Case No. 2026-CA-0943.[4]

III. CONCLUSION

Having reviewed the record and being otherwise sufficiently advised; IT IS ORDERED that the petition for a writ of prohibition and mandamus shall be, and hereby is, DENIED. It is FURTHER ORDERED that Lindsey's motion for the Court to hear this case along with Case No. 2026-CA-1053 be DENIED.

ENTERED: November 2, 2026



HON. ALLISON E. JONES
JUDGE, COURT OF APPEALS

[4] The Chief Justice's order denying Lindsey's request for relief pursuant to KRS 26A.020 explicitly stated "the request is DENIED without prejudice of any party to seek appellate review after entry of a final judgment."