Commonwealth of Kentucky

Court of Appeals

NO. 2026-CA-0987-OA

DAWN M. MIDDLETON — PETITIONER

v. AN ORIGINAL ACTION
ARISING FROM BULLITT CIRCUIT COURT
ACTION NO. 26-CR-00167 AND 26-CR-00168

HON. RODNEY DARREL BURRESS,
JUDGE, BULLITT CIRCUIT COURT — RESPONDENT

AND

COMMONWEALTH OF KENTUCKY — REAL PARTY IN INTEREST

ORDER

* * * * * *

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

On August 10, 2026, by counsel, filed a petition for a writ of mandamus and prohibition, requesting this court to direct the Bullitt Circuit Court to enter an order regarding Petitioner's motion for disqualification of the Bullitt County Commonwealth Attorney's Office. Petitioner also filed a motion for emergency relief requesting an order from this Court staying further proceedings in

the trial court, including staying the jury trial that was scheduled for the next day, August 11, 2026. On August 11, 2026, this Court entered an order denying the motion for emergency relief.

On August 27, 2026, the Commonwealth of Kentucky filed a motion to dismiss this action as moot. The Commonwealth states that the Bullitt Circuit Court issued the order Petitioner requested this Court to compel and the trial proceeded as scheduled on August 11, 2026. No response to the motion to dismiss has been filed.

Having considered the motion to dismiss, and being otherwise sufficiently advised, this Court ORDERS that the motion be GRANTED. This Court ORDERS that the above-styled action is DISMISSED AS MOOT.

HON. LISA P. JONES
JUDGE, COURT OF APPEALS

ENTERED: 11/16/2026