

COMMONWEALTH OF KENTUCKY
TRIMBLE DISTRICT COURT
CASE NO. 16-M-00043



COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS

ORDER

ALI AL-MAQABLH

DEFENDANT

* * * * *

This matter comes before the Trimble District Court on the Motion of the Defendant, Ali Al-Maqablh, seeking an order of this Court to dismiss the complaint filed against him for lack of venue. The Court, having been sufficiently advised, **DENIES** the Motion to Dismiss.

Defendant is the natural father of a child with the alleged victim who is the natural mother. The defendant resides in Jefferson County while the mother resides in Trimble County. At the time of the complaint, the defendant and the mother exercised separate parental time with their child at their respective residences.

On April 2, 2016, the complaint filed against the defendant alleges that he made a false report of abuse or neglect by the mother against the child to the Henry County Office of the Cabinet for Health and Family Services, Child Protective Services (hereafter "the Cabinet"). The report made to the Cabinet resulted in an investigation of the allegations, including an interview of the mother at her home in Trimble County and an interview of the child at a location in Trimble County.

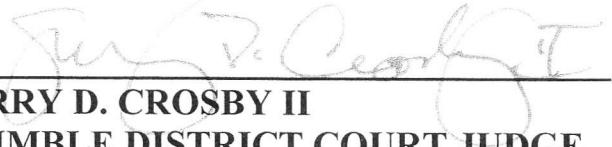
The defendant has been charged with Harassment under KRS 525.070 and Falsely Reporting an Incident under KRS 519.040.

This Court finds that it is appropriate to apply KRS 452.550 which reads, "[W]here an offense is committed partly in one and partly in another county, or if acts and *their effects constituting an offense* occur in different counties, the

prosecution may be in either county in which any of such acts occurs. While the defendant was charged as a result of a call made to the Henry County Office of the Cabinet from an unknown location, the intended and/or realized effect initiated an investigation of the mother in Trimble County. Therefore, venue is proper in Trimble County.

DATE

9/11/17


JERRY D. CROSBY II
TRIMBLE DISTRICT COURT JUDGE