

Commonwealth of Kentucky

Court of Appeals

NO. 2008-CA-001784-MR

CHARLES EDWARD CHESTER, JR.

APPELLANT

v. APPEAL FROM JEFFERSON CIRCUIT COURT
HONORABLE JAMES M. SHAKE, JUDGE
ACTION NO. 06-CR-001923

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION AND ORDER
DISMISSING

** ** * * * **

BEFORE: NICKELL, MOORE, AND WINE, JUDGES.

NICKELL, JUDGE: Charles Edward Chester, Jr., *pro se*, filed a notice of appeal from the denial of his motion “For C.C.C. Work Release/C.T.S. For # 11 months” entered on August 2, 2008. No such order appears on the face of the record. From what we are able to discern from his largely incomprehensible brief, it appears Chester is arguing either that he has not been given proper credit for the time he has spent in custody or that he should be ordered to serve the remainder of his

sentence at the Carl D. Perkins Comprehensive Vocational and Rehabilitation Training Center.

Neither of the issues we have discerned is ripe for review by this Court. The record contains no order denying Chester jail time credit. Further, the circuit court has no authority over the housing arrangements of inmates, *Commonwealth v. Partin*, 702 S.W.2d 51 (Ky. App. 1985), and no order relative to Chester's placement appears in the record.

Therefore, it appearing this appeal having been taken from a non-existent order and there being no justiciable issue before this Court, this appeal must be and hereby is DISMISSED.

Chester has also moved this Court for leave to file one copy of his reply brief. The Commonwealth has not filed a response to the motion. Having considered the matter, and the Clerk having previously made and distributed the requisite copies, Chester's motion for leave is hereby GRANTED.

ALL CONCUR.

/s/ C. Shea Nickell
JUDGE, COURT OF APPEALS

ENTERED: March 26, 2010

BRIEFS FOR APPELLANT:

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BRIEF FOR APPELLEE:

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