

Commonwealth Of Kentucky

Court Of Appeals

NO. 2002-CA-000796-MR

JONAS SOSA

APPELLANT

v. APPEAL FROM HARDIN CIRCUIT COURT
HONORABLE KELLY MARK EASTON, JUDGE
ACTION NO. 01-CI-01654

IRVING MATERIALS, INC.

APPELLEE

OPINION
AFFIRMING

** ** * * *

BEFORE: BARBER, DYCHE, AND TACKETT, JUDGES.

DYCHE, JUDGE: Jonas Sosa, Sr., appeals from a summary judgment dismissing his claim against Irving Materials, Inc., for property damage to a vehicle owned by Sosa, and claims attempted to be brought by Sosa on behalf of his daughter, who is an adult.

The claim for damages to Sosa's vehicle was dismissed because Sosa has been paid an amount agreed to by him, and signed a release of Irving for those damages. We find no ground to disturb that ruling. He cannot be paid twice for the same damage.

The daughters' claims were dismissed because the attempt by Sosa to prosecute those claims constitutes the unauthorized practice of law, and because the claims cannot be brought in his name, but must be brought by the daughter in her own name. The trial court was patient and diligent in informing both Sosa and his daughter of the necessity of her pursuing her own claim. Such advice has apparently been ignored. The trial court was correct in dismissing the claims.

The judgment of the Hardin Circuit Court is affirmed.

ALL CONCUR.

APPELLANT *PRO SE*:

Jonas Sosa, Sr.
Radcliff, Kentucky

BRIEF FOR APPELLEE:

William B. Orberon
William P. Swain
Phillips Parker Orberon &
Moore, PLC
Louisville, Kentucky