

State ex rel. Lockwood v. Laue

Case Number

A-16-0627

Call Date

April 12, 2017

Case Time

9:00 AM

Case Audio

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Case Summary

A-16-627 State ex rel. Dawn Lockwood v. Travis Laue, (State of Nebraska, Appellant)

Buffalo County, District Court Judge William T. Wright

Attorney for Appellant: Andrew W. Hoffmeister (County Attorney's Office)

Attorney for Appellee: Bergan E. Schumacher (Bruner Frank)

Civil Action: Contempt for failure to pay child support

Action Taken by Trial Court: An order required Lockwood to appear and show cause why she should not be held in contempt for her failure to pay previously ordered child support. The referee found Lockwood not to be in contempt and the State filed an exception in district court. The district court overruled the State's exception and dismissed the order to show cause. The district court did not receive any additional evidence presented by the State at the exception hearing. The district court determined that Lockwood overcame the presumption that she was willfully and contumaciously in contempt because she established she did not have the ability to pay at the time of the referee hearing. The district court affirmed the referee's report.

Assignments of Error on Appeal: Did the district court err in failing to find Lockwood in contempt of court in consideration of all the facts provided to the court? Did the district court err when, at the exception hearing to the referee's report, the court refused to allow the State to present additional evidence of more periods of time of nonpayment and Lockwood's wage earnings history?

Case Location

North Platte

Panel Text

Moore, Chief Judge, Inbody and Riedmann, Judges
