

Kiser v. Grinnell

Case Number

A-16-0477

Call Date

January 18, 2017

Case Time

9:00 AM

Case Audio

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Case Summary

A-16-0477, Will C. Kiser v. Ariel P. Grinnell (Appellant)

District Court of Washington County, District Judge John E. Samson

Attorney for Appellant: Jeffrey A. Wagner (Schirber & Wagner, L.L.P.)

Attorney for Appellee: James A. Adams (The Law Offices of James A. Adams, P.C., L.L.O.)

Civil Action: Motion for New Trial on Newly Discovered Evidence

Action taken by the Trial Court: The district court granted Will's motion for new trial on the basis of newly discovered evidence and vacated its prior decree of paternity and custody.

Assignments of Error and Issues on Appeal: Did the district court err in granting a new trial on the basis of newly discovered evidence because such evidence was not newly discovered? Did the district court err in granting a new trial on the basis of newly discovered evidence because such evidence was not originally obtained by Will as a result of his own lack of due diligence and neglect? Did the district court err in granting a new trial on the basis of newly discovered evidence because this evidence is not of such a nature that it would likely lead to a different outcome?

Case Location

Lincoln

Panel Text

Moore, Chief Judge, Inbody, and Pirtle, Judges
