

State v. Howard

Case Number

A-17-0543

Court Number

Douglas

Call Date

October 10, 2018

Case Time

9:00 AM

Case Audio

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Case Summary**A-17-0543, State of Nebraska v. John J. Howard (appellant)**

Douglas County, District Judge Thomas A. Otepka

Attorney for Appellant: Michael J. Wilson (Schaffer Shapiro, LLP)

Attorney for Appellee: Kimberly A. Klein (Attorney General's Office)

Criminal Action: first degree sexual assault, sexual assault of a child, and first degree sexual assault of a child

Action Taken by Trial Court: A jury found Howard guilty of the crimes charged.

Assignments of Error on Appeal: On appeal, Howard assigns that the district court erred in (1) permitting the prosecutor to repeatedly misstate evidence during closing arguments, (2) denying the jury's request to rehear exhibit 2 during deliberations, (3) overruling his objection to a detective's testimony that he apologized during a recorded call for digitally penetrating M.H., and (4) denying his motion for mistrial with respect to his wife's false testimony and the State's failure to disclose all impeachment evidence. He also claims that he received ineffective assistance of trial counsel in several respects.

Case Location

Lincoln

Court Type

District Court

Schedule Code

A1

Panel Text

Pirtle, Riedmann, and Welch, Judges
