

# In re Interest of Michael N

**Case Number**

S-18-0335

**Case Audio**

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**Call Date**

December 7, 2018

**Court Number**

Douglas

**Case Location**

Lincoln

**Case Summary**

S-18-0335 In re Interest of Michael N.

Separate Juvenile Court for Douglas County, Judge Elizabeth Crnkovich

Attorneys: Mark P. Hanna (County Attorney's Office)(Appellant) --- Karen S. Nelson (Nicholas W. O'Brien, Senior-Certified Legal Intern) (Carlson & Burnett, LLP)(Appellee/Cross-Appellant) --- Kristina B. Murphree (Marks Clare & Richards LLC)(Appellee/Cross-Appellant) --- Peder Bartling (Bartling Law Offices, P.C., L.L.O.)(Special Prosecutor)

Civil: Termination; Appointment of Special Prosecutor

Proceedings below: The trial court removed the county attorney's office and appointed a special prosecutor.

Issues: The trial court erred and abused its discretion when it ordered that the county attorney's office be removed from the case and to have a special prosecutor appointed.

Issues on Cross-Appeal: The trial court erred when it 1) dismissed Appellee/Cross-Appellants' Motion to Dismiss and/or Vacate, 2) received into evidence the proof of service of Appellee/Cross-Appellants, 3) violated Appellee/Cross-Appellants' due process rights by detaining her child in continued protective custody, 4) violated Appellee/Cross-Appellants' due process rights when it failed to notify her of her right to counsel, and 5) overruled Appellee/Cross-Appellants' Motion to Recuse.

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