

HBI, LLC v. Barnette

Case Number

S-19-0147

Case Audio

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Call Date

October 2, 2019

Case Time

9:00 AM

Court Number

Sarpy

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0147 Walter D. Barnette (Appellant) v. HBI, LLC

Sarpy County District Court, Judge Stefanie Martinez

Attorneys: Edward F. Noethe (McGinn, Springer & Noethe, P.L.C., for Appellant) ? Jeffrey J. Blumel, Gretchen L. McGinn (Dvorak Law Group, for Appellee)

Civil: Summary judgment; Quiet title

Proceedings Below: The trial court determined that the notice procedures followed by Appellee do not violate the due process requirements of the U.S. Constitution or the Nebraska Constitution. The trial court ruled that the notice provided to Appellant was sufficient and in compliance with Nebraska law. The trial court also determined that the tax deed issued by Sarpy County is presumptive evidence of proper notice and granted Appellee?s amended motion for summary judgment.

Issues: Whether the trial court erred in 1) not finding that the Appellee?s original election of foreclosure barred the tax deed process; 3) not finding the notice provided complied with Nebraska law; 3) not finding the Nebraska Tax Sale Statutory scheme violates the U.S. Constitution and the Nebraska Constitution; 4) finding that Appellant?s due process rights were not violated; 5) not quieting title to the Appellant;

Schedule Code

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