

# Candyland, LLC v. Nebraska Liquor Control Commission

**Case Number**

S-19-0535

**Case Audio**

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**Call Date**

February 6, 2020

**Case Time**

9:00 AM

**Court Number**

Lancaster

**Case Location**

UNL

**Court Type**

District Court

**Case Summary**

S-19-0535 Candyland, LLC (Appellant) v. Nebraska Liquor Control Commission and City of Omaha (Appellees)

Lancaster County District Court, Judge Jodi Nelson

Attorneys: Kyle J. McGinn, William F. McGinn (McGinn, Springer & Noethe, PLC, Attorneys for Appellant); James Smith (Solicitor General), Melissa Johnson-Wiles (Office of the Attorney General) (Attorneys for Appellant)

Civil: Jury instructions; Ineffective assistance of counsel; Sentencing

Proceedings Below: The trial court entered an order on May 3, 2019 finding that it lacked subject matter jurisdiction and dismissing the matter in its entirety. On May 22, 2019, the trial court entered an order denying Appellant's related motion for new trial.

Issues: Appellant assigns the following errors: 1) whether the trial court erred in striking all citizen objectors from the underlying action in response to Appellant's motion for alternative service on those parties; 2) whether the court erred in deciding that the citizen objectors were parties of record pursuant to Neb. Rev. Stat. 84-917(2)(a)(i); and 3) whether by requiring Appellant to serve all citizen objectors the rights of Appellant to guaranteed access to the courts pursuant to Neb. Const. Art. 1 section 13.

**Schedule Code**

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