

In re Interest of Arieana A. et al. (15)

Additional Case Names

9:00 am

Case Number

S-20-0009)

S-20-0244)

Case Audio

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Call Date

October 2, 2020

Case Time

9:00 AM

Court Number

Lancaster

Case Location

Lincoln

Court Type

Separate Juvenile Court

Case Summary

S-20-0009 In re Interest of Arieana A.

Lancaster County Separate Juvenile Court, Honorable Reggie L. Ryder

Attorneys: Haley N. Messerschmidt (County Attorney?s Office) --- Matt Catlett (Appellant - father)

Civil: Placement; intervention; motion for summary dismissal; jurisdiction

Proceedings Below: The trial court granted Appellant?s motion to intervene and denied his motion for placement.

Issues: 1) The trial court deprived Appellant of due process guaranteed to him by the Fourteenth Amendment to the United States Constitution by failing to be an impartial decision maker with respect to his motion, by imposing upon Joshua the burden to prove that he was fit to have, and had not forfeited his superior right to, custody of Benjamin, and ultimately by denying his motion, and 2) he State deprived Appellant of due process guaranteed to him by the Fourteenth Amendment to the United States Constitution by failing to deliver Benjamin to him immediately upon the expiration of 48 hours after it acquired temporary custody of him. The juvenile court compounded this deprivation vis-a-vis its void ?Ex Parte Order for Emergency Temporary Custody? and illegal ?Protective Custody Hearing; Order Continuing Temporary Custody with the Nebraska Department of Health and Human Services; Temporary Orders; Notice of Adjudication Hearing.? Appellant?s right to equal protection under the Fourteenth Amendment was also violated by the differential treatment of him and the father of Dakota without any basis for such differential treatment.

Schedule Code

SC
