

State v. Stack (20)

Additional Case Names

9:00 am

Case Number

S-19-0833

Case Audio

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Call Date

September 29, 2020

Case Time

9:00 AM

Court Number

Sarpy

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0833 State v. Alan E. Stack (Appellant)

Sarpy County District Court, Judge Stefanie Martinez

Attorneys: Stacy M. Foust (Attorney General's Office) --- John P. Hascall (Public Defender's Office)(Appellant)

Criminal: 2nd degree murder; use of weapon to commit felony; insufficient evidence; excessive sentence

Proceedings below: Following a bench trial, Appellant was convicted and sentenced to 80 years to life on Count I and 40 to 50 years on Count III, to be served consecutively.

Issues: The district court erred in 1) overruling Appellant's insanity defense, 2) failing to grant a directed verdict when there was insufficient evidence to support a verdict as to the charges, 3) finding that the evidence supported a finding of 2nd degree murder rather than a finding of manslaughter, and 4) imposing an excessive sentence.
