

Peterson v. Jacobitz

Case Number

A-20-0097

Court Number

Buffalo

Call Date

November 9, 2020

Case Time

1:00 PM

Case Summary

A-20-0097, Peterson (Appellant) v. Jacobitz (Appellee)

County Court for Buffalo County, Judge John P. Rademacher

Attorney for Appellant: Vicki S. Stamm

Attorney for Appellee: Jonathan R. Brandt

Civil Action: Adoption

Action Taken by Trial Court: The county court dismissed Peterson's complaint for lack of subject matter jurisdiction. The county court determined that under the Nebraska adoption statutes, only the county court where the minor child was born has jurisdiction over a complaint objecting to an adoption. Consequently, when Peterson filed his complaint in the County Court for Phelps County, which was not the county court for the county where the child involved in this case was born, the Phelps County Court had no jurisdiction over the matter and no authority to transfer the case to the appropriate court in Buffalo County.

Assignments of Error on Appeal: Peterson assigns (1) the trial court erred when it held that the County Court for Phelps County lacked authority to transfer the case; and (2) the trial court erred when it dismissed Peterson's complaint for lack of subject matter jurisdiction.

Case Location

Kearney

Court Type

County Court

Schedule Code

A2

Panel Text

Pirtle, Chief Judge, Moore, and Riedmann, Judges
