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A-23-001057

Hohenstein vs. Hohenstein

Motion Appellant to Stay Mandate

Motion of Appellant to stay mandate overruled.

A-24-000012

Montgomery v. City of Omaha

ROD Petition of Appellant for Further Review

Petition of Appellant for further review denied.

A-24-000404

In re Estate of Warner

ROD Mot. of Appellee for Summary Dismissal

Appellee's motion for summary dismissal sustained. See Neb. Ct. R. App. P. § 2-107(B)(1). The Court takes judicial notice of its files in Case No. 24-348, wherein the appellant dismissed his properly perfected notice of appeal. That dismissal operated as an affirmance of the district court's judgment, which is now res judicata. See, L.J. Vontz Constr. Co. v. City of Alliance, 243 Neb. 334, 500 N.W.2d 173 (1993); In re Estate of Marsh, 145 Neb. 559, 17 N.W.2d 471 (1945).

A-24-000415

State v. David J Tufts

Motion of Appellant for Reconsideration

Motion of Appellant for reconsideration filed January 13, 2025, is overruled.

A-24-000539

Counter v. Counter

ROD Motion Appellant to Dismiss Appeal

Motion of Appellant to dismiss appeal sustained; appeal dismissed; mandate to issue accordingly.

A-24-000543

Zitterkopf v. Zitterkopf

Praecipe for Bill of Exceptions

Appellant's request for leave to file supplemental amendments filed in the district court on January 21, 2025 received by this court. There being no motion filed for leave to file supplemental request for bill of exceptions in this court, and no leave granted for supplemental bill of exceptions, no further bill of exceptions shall be prepared by the court reporter beyond that requested in original praecipe filed July 22, 2024. See Neb. Ct. R. App. P. 2-105(B)(2)(f).

A-24-000553

In re Interest of Rigoberto S.

Mot Appt Remand Amend BOE & Brf Dt Ext

Motion of Appellant to remand and for extension of brief date overruled as moot. Motion was filed January 17, 2025. Appeal was dismissed on January 16, 2025.

A-24-000565

State v. Jeff A Dolberg

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Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief date extended to February 18, 2025. No further extensions will be allowed.

A-24-000568

In re Guardianship of William B.

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-24-000651

Haney v. Haney

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's FINAL brief date extended to February 5, 2025. No further extensions will be allowed.

A-24-000703

State v. Quovadis M Kellogg

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Morton, 310 Neb. 355, 966 N.W.2d 57 (2021) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-24-000721

State v. Paul D Brooks

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to February 24, 2025.

A-24-000757

Beebe v. B & R Stores Russ's Market

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-24-000795

Zakrzewski v. Zakrzewski

ROD Motion of Appellant to Dismiss Appeal

Motion of Appellant to dismiss appeal sustained; appeal dismissed; mandate to issue accordingly.

A-24-000805

State v. Marckenzy Edmond

Motion to Withdraw - Turnblacer for Appt

Motion sustained; Theodore Turnblacer allowed to withdraw as counsel for Appellant.

A-24-000824

State v. Anika L Pfannenstiel

Motion Appellee to Consolidate

Motion sustained; cases 24-0824 and 24-0825 consolidated for briefing

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and disposition.

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A-24-000825

State v. Anika L Pfannenstiel

Motion Appellee to Consolidate

Motion sustained; cases 24-0824 and 24-0825 consolidated for briefing and disposition.

A-24-000844

Pebbley v. Pebbley

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of the original bill of exceptions only extended to January 29, 2025.

A-24-000844

Pebbley v. Pebbley

Praecipe for Bill of Exceptions

Court receives copy of praecipe for supplemental bill of exceptions filed by new counsel for Appellee. Since request is made outside the ten day period prescribed in Neb. Ct. R. App. P. § 2-105(B)(2)(e), Appellee must obtain leave of court for preparation of supplemental bill of exceptions. There being no such request filed and granted, no supplemental bill of exceptions shall be prepared at this time.

A-24-000844

Pebbley v. Pebbley

Appellant Brief Date Extended

Record preparation date having been extended to January 29, 2025, Appellant's brief date extended to February 28, 2025.

A-24-000845

State v. John G Wonka

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to February 24, 2025.

A-24-000845

State v. John G Wonka

Appellant Brief Date Extended

Record preparation date having been extended to February 24, 2025, Appellant's brief date extended to March 26, 2025.

A-24-000852

State v. Luke E Rothering

Motion to Withdraw - Smith for Appellant

Motion sustained; Rodney Smith allowed to withdraw as counsel for Appellant.

A-24-000886

State v. Jeffrey S Richardson

Motion Appellant to Compel Discovery

Motion of Appellant to compel discovery overruled.

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A-24-000886

State v. Jeffrey S Richardson
Motion Appellant for Bill of Exceptions
Motion of Appellant for bill of exceptions overruled.

A-24-000886

State v. Jeffrey S Richardson
Motion Appt for Reply Brief Extension
Motion of Appellant to extend filing of replacement brief overruled.

A-24-000886

State v. Jeffrey S Richardson
Motion Appt to Keep Discovery Materials
Motion of Appellant to keep discovery materials overruled.

A-24-000886

State v. Jeffrey S Richardson
Motion Appt to Rev/Modify Jail Credits
Motion of Appellant to review or modify jail credits overruled.

A-24-000886

State v. Jeffrey S Richardson
Motion Appellant to Amend Direct Appeal
Motion of Appellant to amend direct appeal overruled.

A-24-000886

State v. Jeffrey S Richardson
Motion Appellant to Appoint New Counsel
Appellant's motion for appointment of counsel overruled without
prejudice to seek relief with the trial court.

A-24-000946

Egri v. Otoe County School District 111
Motion to Withdraw Helget for Appellees
Motion sustained; Thomas J. Helget allowed to withdraw as counsel for
Appellee.

A-24-000955

State v. Damien R Schaffert
Motion Appt Leave to Request Supp BOE
Motion of Appellant for leave to request a supplemental bill of
exceptions sustained. Appellant shall file their request within three
days of this order.

A-24-000966

State v. Collin J Zach
Motion of Appt to Dism Appeal (STRICKEN)
Motion to dismiss appeal received from Appellant. Court notes that
motion is signed by Appellant himself rather than counsel contrary to
Neb. Ct. R. App. P. § 2-101(F)(6). In accordance with court rule, the
court finds that the motion shall be removed from the appellate court
file and returned to counsel for Appellant. Any new motion to dismiss
appeal shall be filed by counsel for Appellant.

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A-24-000967

State v. Rebecca Ashing

Motion to Withdraw - Bach for Appellant

Motion sustained; Stacy Bach allowed to withdraw as counsel for Appellant.

A-24-000976

State v. Brionna P Stoner

Motion of Appellant to Consolidate

Motion sustained; cases 24-0976 and 24-0977 consolidated for briefing and disposition.

A-24-000977

State v. Brionna P Stoner

Motion of Appellant to Consolidate

Motion sustained; cases 24-0976 and 24-0977 consolidated for briefing and disposition.

A-24-000979

State v. Jeremy S Brown

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to January 31, 2025.

A-24-000979

State v. Jeremy S Brown

Appellant Brief Date Extended

Record preparation date having been extended to January 31, 2025, Appellant's brief date extended to March 3, 2025.

A-24-000980

State v. Matthew A Hall

Motion Appt Accept Supp BOE out of time

Motion of Appellant to accept supplemental bill of exceptions is overruled without prejudice to new counsel filing a motion that conforms to procedure prescribed in Neb. Ct. R. App. P. 2-105(B)(2)(f).

A-25-000004

State v. Alvaro A Escamilla Sr

Motion to Withdraw - Conway for Appt

Motion sustained; Sean Conway allowed to withdraw as counsel for Appellant.

A-25-000022

State v. Jeffrey S Richardson

Ruling Reserved on Motion to Withdraw

Motion to withdraw as counsel by attorney Ryan Hoffman considered and held under advisement. Attorney Hoffman directed to file for withdrawal as counsel, and if appropriate, for appointment of replacement counsel, with the trial court. Upon supplementation of appellate record showing trial court order ruling on attorney Hoffman's motion to withdraw as counsel, attorney Hoffman's motion to

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withdraw as counsel filed in this court will be reconsidered. Motion will be overruled without further notice if appellate record is not supplemented as indicated within seven days.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000032

Riddle v. Omaha Public Schools

Order to Show Cause re Request Late BOE

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S-22-000256

In re Application for Appointment of Trustee, Ronald J. Palagi
Seventh Report of Trustee
Trustee's Seventh Report approved. Clerk directed to file Trustee's
report dated January 21, 2025. Next report due on or before July 29,
2025.

S-23-001047

In re Application for Appointment of Trustee, Scott Lautenbaugh
Trustee's 3rd Report
Report approved. Clerk directed to file Trustee's report dated January
15, 2025. Next report due on or before July 15, 2025.