

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 10, 2024

Page:

1

A-24-000132

State obo Josselynn S. v. Gregory S.

By order of Court re Media Exhibits

Tendered bill of exceptions considered. Volume 3 of the bill of exceptions, which is marked "Exhibit No. 16 (Sealed, treated like media ex.)" is not a media exhibit as defined by Neb. Ct. R. App. P. § 2-105.02(D). Court reporter directed to convert the exhibit to PDF format and include the same in a documentary exhibit volume, filed as a confidential volume at the time of resubmission. Replacement volume due by October 24, 2024.

A-24-000303

Hillyer v. Hillyer

Motion to Withdraw - Leef for Appellee

Motion of Appellee counsel Jaquelin Leef to withdraw overruled for failure to comply with Neb. Ct. R. App. P. § 2-106(F). See prior orders.

A-24-000329

Manetti v. Smith

OSC re Late Supplemental BOE Request

Appellee's request for supplemental bill of exceptions filed in the trial court on September 6, 2024 considered. The Appellee having failed to seek leave to request supplemental BOE out-of-time and having failed to respond to court's order to show cause, Appellee's request for supplemental bill of exceptions is denied.

A-24-000390

Tweedy v. Otte

Motion Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL Brief date extended to November 6, 2024. No further extensions will be allowed.

A-24-000417

French v Auto-Owners Insurance Company

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL Brief date extended to October 18, 2024.

A-24-000421

State v. Tristan J Ferguson

Motion Appellee to Extend Brief Date

Motion considered; Appellee's FINAL brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-24-000483

State v. Elijah L Jackson

Motion Appe to Consolidate 24-483, 485

Motion of Appellee sustained; cases 24-483 and 24-485 consolidated for further briefing and disposition.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 10, 2024

Page:

2

A-24-000485

State v. Elijah L Jackson

Motion Appellate to Consolidate 24-483, 485

Motion of Appellee sustained; cases 24-483 and 24-485 consolidated for further briefing and disposition.

A-24-000487

Belcastro-Gonzalez v. City of Omaha

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 30, 2024. Failure to file brief by said date subjects appeal to dismissal without further notice due to brief being in default. Further default notice and additional time to file brief pursuant to Neb. Ct. R. App. P. § 2-110(A) shall not apply.

A-24-000503

Nebraska Firearm Owners Association v. City of Lincoln, Nebraska

Mot Admiss Pro Hac Vice Huebert

Motion for admission of Jacob Huebert as counsel pro hac vice sustained subject to taking the oath consistent with Neb. Rev. Stat. §24-1002.

A-24-000516

Baltazar's Stone, Inc. v. Pape

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's FINAL brief date extended to November 13, 2024.

A-24-000520

Cosey v. Department of Correctional Services

ROD APPT Default Notice

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

A-24-000536

State v. Patrick R Prince

Motion of Appellant to Consolidate

Motion of Appellant sustained; cases 24-536, 24-537, and 24-538 consolidated for briefing and disposition.

A-24-000537

State v. Patrick R Prince

Motion of Appellant to Consolidate

Motion of Appellant sustained; cases 24-536, 24-537, and 24-538 consolidated for briefing and disposition.

A-24-000538

State v. Patrick R Prince

Motion of Appellant to Consolidate

Motion of Appellant sustained; cases 24-536, 24-537, and 24-538 consolidated for briefing and disposition.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 10, 2024

Page:

3

A-24-000541

State v. Elizabeth K Arnold

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 November 8, 2024.

A-24-000545

Dowding v. Besse

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E) (2), Appellant's FINAL brief date extended to November 4, 2024.

A-24-000578

In re Interest of Leo C.

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E) (3), Appellant's FINAL brief date extended to November 15, 2024.

A-24-000614

State v. Bradley Sibal

Motion Appt Consolidate 24-614, 615, 616

Motion of Appellant sustained; cases 24-614, 24-615, and 24-616 consolidated for briefing and disposition. All Appellee briefs now due November 6, 2024 due to consolidation.

A-24-000615

State v. Bradley Sibal

Motion Appt Consolidate 24-614, 615, 616

Motion of Appellant sustained; cases 24-614, 24-615, and 24-616 consolidated for briefing and disposition. All Appellee briefs now due November 6, 2024 due to consolidation.

A-24-000616

State v. Bradley Sibal

Motion Appt Consolidate 24-614, 615, 616

Motion of Appellant sustained; cases 24-614, 24-615, and 24-616 consolidated for briefing and disposition. All Appellee briefs now due November 6, 2024 due to consolidation.

A-24-000655

Koch v. City of Sargent, Nebraska

Mot Appt Leave File Late Praecipe BOE

Appellant's motion for leave to file request for bill of exceptions out of time sustained. Leave granted to request BOE out-of-time with request to be submitted within 7 days of this order and which request shall specifically identify the record requested including, but not limited to, specified hearing dates on which the record was produced.

A-24-000692

State v. Austin Kelly

Ruling Reserved Mot W/D Kearney for Appt

Motion to withdraw as counsel for Appellant filed by attorney Jennifer D. Kearney taken under advisement pending compliance with Neb. Ct. R.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 10, 2024

Page: 4

App. P. § 2-106(F), certifying that a copy of such motion has been sent to the client's last-known address, which address shall be included in the motion. Counsel is provided seven days to supplement motion to show compliance with client notice requirements.

A-24-000718

State v. Jeremy W Haag

Motion to Withdraw Minahan for Appellant

Motion sustained; Angela M Minahan allowed to withdraw as counsel for Appellant.

A-24-000720

State v. Larry L Legrand

Order to Show Cause re Late Req for BOE

Motion for leave to file request for bill of exceptions out of time sustained; Appellant granted leave to file request for bill of exceptions.

A-24-000731

State v. Lavell R Cutler

Mot Appt Counsel Donahue to Withdraw

Motion sustained; Mary Rose Donahue allowed to withdraw as counsel for Appellant.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000733

In re Interest of Alaina G.

Order to Show Cause re Late BOE Requests

Supreme Court of Nebraska
Office of the Clerk

Minutes: October 10, 2024

Page:

1

S-16-000982

State ex rel. Counsel for Discipline v. Douglas R. Lederer
Request Resp Extension Missouri Deadline
Request for extension of due date to complete conditions of
reinstatement to inactive status granted to May 26, 2025.

S-24-000566

State v. Joseph P Kruger
Motion Appellant to Extend Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief
date extended to November 13, 2024.

S-24-000664

State v. Raymond Mata, Jr
Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of
exceptions extended to December 23, 2024.

S-24-000664

State v. Raymond Mata, Jr
Appellant's Brief date Re-Established
Record preparation date having been re-established to December 23,
2024. Appellant's brief date extended to January 22, 2025.