

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000586

Red Willow Aviation & Spraying Inc. v. Sis
Motion Appellant re Rule 2-111(G)(3)
Notice of Bankruptcy dismissal having been filed, stay lifted and
case to proceed.

A-23-000586

Red Willow Aviation & Spraying Inc. v. Sis
By order of the Court re Record Prep Dt
By order of the Court; Bankruptcy having been dismissed, time for
preparation for bill of exceptions re-established to December 26,
2024.

A-23-000586

Red Willow Aviation & Spraying Inc. v. Sis
Appellant's Brief Date Re-established
Record preparation date having been re-established to December 26,
2024, Appellant's brief date re-established to January 27, 2025.

A-23-000961

Schommer v. Barry-Schommer
November Early Case Review
By order of the Court, matter removed from the Court of Appeals
November Review Docket and placed on the call to be heard for oral
argument on November 19, 2024, at 1:00 p.m., in the Buffalo County
Commission Board Room in Kearney, Nebraska

A-24-000265

Magett v. CHI Health Immanuel Medical Center
Motion of Appellant to Amend BOE
Motion to amend bill of exceptions overruled without prejudice to
seeking relief with trial court under Neb. Ct. R. App. P. § 2-105(G).

A-24-000342

McCartney v. Zurcher
Motion to Withdraw Motto for Appe
Motion sustained; Emily Motto allowed to withdraw as counsel for
Appellee.

A-24-000404

In re Estate of Warner
Motion Appellant to Strike Exhibits
Motion to amend bill of exceptions overruled without prejudice to
seeking relief with trial court under Neb. Ct. R. App. P. § 2-105(G).

A-24-000409

Bajjuri v. Karney
Stipulated Motion to Dismiss Appe Sarkit
The Stipulated Motion for Entry of Judgment on Appeal and Dismissal of
Appellee Sarkit, Inc. is sustained. Sarkit, Inc. is dismissed from the
appeal. No mandate will be issued until the appeal is disposed of in
its entirety.

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A-24-000495

Scott v. Lincoln Public Schools

Motion Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's FINAL brief date extended to November 12, 2024.

A-24-000497

State v. Cecil E Battles

Motion to Withdraw DeSimone for Appt

Motion to withdraw sustained; Dana DeSimone allowed to withdraw as counsel for Appellant.

A-24-000497

State v. Cecil E Battles

Motion Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellant's FINAL brief date extended to November 29, 2024.

A-24-000539

Counter v. Counter

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 December 20, 2024.

A-24-000542

Coleman v. Georgi

ROD APPT Default Notice Coleman Sent Cert

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

A-24-000560

In re Interest of Isabella L.

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 November 8, 2024.

A-24-000576

State v. Jarvis T Young

ROD By order of the Court re Dismissal

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly. See prior order of the court entered on October 9, 2024.

A-24-000591

State v. Michael P Donner

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentence imposed was not an abuse of discretion. See State v. Alkazahy, 314 Neb. 406, 990 N.W.2d 740 (2023) (sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court).

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A-24-000638

State v. Nicholas F Vanacker

Motion Appellate to Consolidate 24-638, 639

By order of the Court, cases 24-0638 and 24-0639 consolidated for further briefing and disposition.

A-24-000639

State v. Nicholas F Vanacker

Motion Appellate to Consolidate 24-638, 639

By order of the Court, cases 24-0638 and 24-0639 consolidated for further briefing and disposition.

A-24-000666

State v. Kendra R Ryan

Motion of 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-24-000681

State v. Christian X Hernandez

Request to Extend Bill Exceptions

Request for extension granted in part; time for preparation of bill of exceptions extended to December 16, 2024.

A-24-000681

State v. Christian X Hernandez

Appellant's Brief Date Extended

Record preparation date having been extended to December 16, 2024, Appellant's brief date extended to January 15, 2025.

A-24-000697

State v. Cristian E Molina

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 December 6, 2024.

A-24-000725

State v. Justin C Blount

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 December 16, 2024.

A-24-000727

Twidwell v. Twidwell

ROD Stipulation to Dismiss Appeal

Stipulation allowed; appeal dismissed; mandate to issue accordingly forthwith.

A-24-000733

In re Interest of Alaina G.

Order to Show Cause re Late BOE Requests

Motion sustained; Appellant granted leave to file praecipe for bill of exceptions as well as an amended bill of exceptions out of time.

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A-24-000739

McDonnell v. McDonnell

Motion to Withdraw - Marion for Shane M.

Motion sustained; William Marion allowed to withdraw as counsel for Appellee.

A-24-000749

In re Interest of Bosileo D.

Request to Extend Bill Exceptions

Request for extension granted in part; time for preparation of bill of exceptions extended to January 9, 2025.

A-24-000749

In re Interest of Bosileo D.

Appellant's Brief Date Extended

Record preparation date having been extended to January 9, 2025, Appellant's brief date extended to February 10, 2025.

A-24-000754

Hawk v. Hawk

Order to Show Cause re Late BOE Payment

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

A-24-000789

In re Interest of Nyreko W.

Mot Appellant Counsel Hobbs to Withdraw

Motion sustained; Deanna Hobbs allowed to withdraw as counsel for Appellant.

A-24-000792

State v. Cristian A Romero Vanegas

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). A defendant does not have a constitutional right to counsel of his or her choice when counsel is court appointed and such counsel's disqualification does not affect a defendant's substantial rights. State v. Schlund, 249 Neb. 173, 542 N.W.2d 421 (1996). An appellate court is without jurisdiction to entertain appeals from nonfinal orders.

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S-24-000122

Konecne obo Estate of Misle v. Abram LLC

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.

S-24-000158

In re Interest of E.W.

Appt Mot to Continue - Conflict 12/3 & 4

Motion of Appellant to continue oral argument sustained. Case to be placed on the next Proposed Call of the Nebraska Supreme Court, to occur on January 7, 8, and 9, 2025.