

Court of Appeals of Nebraska
Office of the Clerk

Minutes: December 2, 2024

Page:

1

A-24-000039

In re Interest of Bre'jon K.

ROD Petition of Appellant for Further Review
Petition of Appellant for further review denied.

A-24-000526

Cottonwood Flats, Inc. v. Hohenstein

Motion Appellee to Extend Brief Date

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

A-24-000553

In re Interest of Rigoberto S.

Appellant's Replacement Brief Due

Appellant's brief filed November 26, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering; 2-103(C)(4) regarding a certificate of compliance; 2-109(C)(3) regarding reference to the bill of exceptions and exhibits; 2-109(D)(1)(g) regarding citation to the record in the statement of facts; and 2-109(D)(1)(h) regarding a summary of argument. Appellant's replacement brief complying with the above-referenced rules is due on or before December 16, 2024.

A-24-000655

Koch v. City of Sargent, Nebraska

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 January 2, 2025.

A-24-000663

Cyboron v. Merrick County

Motion Appellants to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellants' FINAL brief date extended to January 6, 2025.

A-24-000773

Lopez v. Martinez

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). The amended clerk's certificate indicates that a tolling motion was filed within 10 days of the district court's order of October 3, 2024, which had not been ruled on at the time the notice of appeal was filed, thus precluding appellate jurisdiction. See, State v. Harris, 307 Neb. 237, 948 N.W.2d 736 (2020); Neb. Rev. Stat. § 25-1912(3) (Cum. Supp. 2022) (notice of appeal filed before pending terminating motion has been ruled upon shall have no effect). Furthermore, our transcript lacks the requisite pleadings to determine this appeal. See Neb. Ct. R. App. P. § 2-104(A) (requiring inclusion of pleadings upon which case was tried including but not limited to last amended complaint and answer, judgment, decree, or final order sought to be reversed, and lower court's memorandum opinion if any).

Court of Appeals of Nebraska
Office of the Clerk

Minutes: December 2, 2024

Page:

2

A-24-000847

State v. Shadow Harlan

By order of Court re Record Prep Date

Case having been docketed as a plea in error, record preparation date re-established to January 3, 2025.

A-24-000847

State v. Shadow Harlan

Brief date re-established

By order of the Court, record preparation date having been changed to January 3, 2025, Appellant's brief date re-established to be due on or before February 3, 2025.

A-24-000874

State v. Stanley Malone III

ROD Motion Appellant to Dismiss Appeal

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

Supreme Court of Nebraska
Office of the Clerk

Minutes: December 2, 2024

Page:

1

S-24-000711

State v. Danny L Ball

Motion Appt to Stay Proceedings

Appellant's Motion to stay sustained pending the results of the IFP appeal in S24-0730.

S-24-000722

State v. Quan A White

Request to Extend Bill Exceptions

Request for extension granted, in part. Time for preparation of bill of exceptions extended to December 28, 2024.

S-24-000722

State v. Quan A White

Appellant Brief Date Re-Established

Record preparation date having been re-established to December 28, 2024, Appellant's brief date extended to January 27, 2025.