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A-23-001028

Morse v. Olmer

Case Review re Rule 2-111 Submission

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1). Accordingly, matter removed from the December Review Docket of the Nebraska Court of Appeals.

A-23-001056

Century Sales & Management, LLC v. Thomas

Case Review re Rule 2-111 Submission

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1). Accordingly, matter removed from the December Review Docket of the Nebraska Court of Appeals.

A-24-000136

In re Interest of Ethan L.

Case Review re Rule 2-111 Submission

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1). Accordingly, matter removed from the December Review Docket of the Nebraska Court of Appeals.

A-24-000390

Tweedy v. Otte

ROD APPT Default Notice

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

A-24-000404

In re Estate of Warner

Motion Appt to Expand Brief Word Limit

Appellant's motion to expand word limit overruled.

A-24-000412

In re Guardian/Conservatorship of Isabelle R.

Motion to Withdraw Synek for Appt

The November 19, 2024, motion to withdraw filed by Appellant's counsel is sustained. Appellant's brief has been in default since November 8, 2024. Appellant shall file a brief by December 16, 2024, and said brief shall specifically address why this appeal should not be dismissed for mootness given the suggestion of death filed by the appellee. No extensions shall be granted and failure to comply with this order shall result in the appeal being dismissed without further notice.

A-24-000491

In re Guardian/Conservatorship of Isabelle R.

Motion to Withdraw Synek for Appt

The November 19, 2024, motion to withdraw filed by Appellant's counsel is sustained. Appellant's brief has been in default since November 8, 2024. Appellant shall file a brief by December 16, 2024, and said brief shall specifically address why this appeal should not be dismissed for mootness given the suggestion of death filed by the appellee. No extensions shall be granted and failure to comply with

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this order shall result in the appeal being dismissed without further notice.

A-24-000417

French v Auto-Owners Insurance Company

Motion Appt to Extend Reply Brief Date

Motion sustained; Appellant's reply brief date extended to December 12, 2024.

A-24-000440

State v. Rusty K Masters

Motion Appellee to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellee's FINAL brief date extended to December 27, 2024. No further extension of brief date will be allowed in any advanced case pursuant to Neb. Ct. R. App. P. § 2-111(B)(2), except upon a showing of exceptional cause.

A-24-000456

State v. Mathew J Heath

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence imposed did not constitute an abuse of discretion. See State v. Dejaynes-Beaman, 317 Neb. 131, 8 N.W.3d 779 (2024) (absent abuse of discretion by trial court, appellate court will not disturb sentence imposed within statutory limits).

A-24-000472

Gentele v. Gentele

Motion Appt to Extend Reply Brief Date

Motion sustained; Appellant's reply brief date extended to December 23, 2024.

A-24-000499

Sanford v. Sanford

ROD Motion Appellant to Dismiss Appeal

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

A-24-000505

Connot v. Connot

Motion Appellant to Extend Brief Date

Motions of Appellant to extend brief date sustained. Appellee's objection to extension and motion to strike overruled. Appellant's response to motion to strike overruled as moot. Appellant's brief date extended to and accepted as filed on November 30, 2024.

A-24-000517

Case v. Pascoe

ROD APPT Default Notice

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

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A-24-000532

State v. William R Schukei

Mot Appt Counsel Naatz to Withdraw

Motion to withdraw sustained; Joseph P. Naatz allowed to withdraw as counsel for Appellant.

A-24-000546

State v. Savior Htoo

Case Review re Rule 2-111 Submission

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1).

A-24-000575

Mills v. Elznic

Motion of 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 January 3, 2025. Any request for extension of brief date beyond the 30-day extension must be supported by a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause.

A-24-000577

State v. Demond E Williams

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to January 6, 2025. 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-24-000580

Whipple v. Johnson

ROD APPT Default Notice Vesta Whipple

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

A-24-000607

D&M Roofing and Siding, Inc. v. Distribution, Inc.

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's FINAL brief date extended to January 13, 2025.

A-24-000633

Berkshire v. Berkshire

Request to Extend Bill Exceptions

Request for extension sustained; time for preparation of bill of exceptions extended to January 10, 2025. Any further extension request on this appeal shall demonstrate that court reporter has attempted to obtain assistance from other court reporters and the court administrator's office in completing bill of exceptions prior to deadline.

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A-24-000633

Berkshire v. Berkshire

Appellant's Brief Date Re-Established

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

A-24-000661

State v. Arthur T Varney

Motion Appellee to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellee's FINAL Brief date extended to January 3, 2025. No further extension of brief date will be allowed except upon a showing of exceptional cause.

A-24-000688

Nienhuser v. MacMillan

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 15, 2025.

A-24-000720

State v. Larry L Legrand

Motion Appellant to Extend Brief Date

Court finds that Appellant's motion is unclear in that it requests an extension of "thirty (7) days". Court also notes that motion recites that no prior requests for extension have been sought although one prior extension has been sought and granted. Appellant is granted extension and Appellant's brief filed on December 5, 2024, accepted as filed.

A-24-000721

State v. Paul D Brooks

Mot Appt Leave Pay BOE Late

No affidavit received from Appellant in response to court's November 14, 2024 docket entry. Amended motion to pay for bill of exceptions out of time overruled. Case shall proceed as if no bill of exceptions was requested. See Neb. Ct. R. App. P. § 2-105(A)(1)(e).

A-24-000728

State v. George L Weaver

ROD APPT Default Notice

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

A-24-000751

Sole v. Sole

Order to Show Cause Late BOE Payment

Affidavit of cause received. Cause shown. Payment of required deposit shall be received. Appeal to proceed.

A-24-000759

State v. Jeffrey D Stewart

Motion Appellant to Extend Brief Date

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Motion considered. By order of the Court, Appellant's FINAL brief date extended to December 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-24-000776

State v. Tyron A Carroll

Request to Extend Bill Exceptions

Request for extension sustained, in part; time for preparation of bill of exceptions extended to February 17, 2025. Any further extension request on this appeal shall demonstrate that court reporter has attempted to obtain assistance from other court reporters and the court administrator's office in completing bill of exceptions prior to deadline.

A-24-000776

State v. Tyron A Carroll

Appellant's Brief Date Re-Established

Record preparation date having been re-established to February 17, 2025, Appellant's brief date extended to March 19, 2025.

A-24-000780

State v. Jaydee Sims

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E) (3), Appellant's FINAL brief date extended to January 8, 2025.

A-24-000784

State v. Kameron L Mitchell

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 January 6, 2025.

A-24-000797

Fendrich v. Schmid

Order to Show Cause BOE Late Payment

Motion of Appellant in response to show cause order received. Cause shown. Payment of required deposit shall be received. Appeal to proceed.

A-24-000798

Hohenstein v. Hohenstein

Motion Appt Leave to Pay BOE Out of Time

Appellant's motion for leave to pay for bill of exceptions out of time sustained. Appellant to pay estimate for bill of exceptions on or before December 9, 2024.

A-24-000818

Millard Gutter Company v. Farmers Mutual Insurance

Order to Show Cause Fail to Pay Deposit

Response to show cause order received. Cause shown. Payment of estimated cost of bill of exceptions shall be accepted. Appeal to proceed.

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A-24-000827

Trausch v. Trausch

Mot Appt to Extend Brief in Support MFR

Appellant's motion for extension of time to file brief in support of motion for rehearing overruled. Good cause for extension not demonstrated in motion.

A-24-000845

State v. John G Wonka

Order to Show Cause Late BOE Request

Response to court's order to show cause received. Response includes motion for leave to request bill of exceptions out of time. Cause shown. Motion of Appellant sustained. Appellant shall file praecipe for bill of exceptions within seven days.

A-24-000855

State v. Alvin J Melendez

By order of Court re: Record Prep Date

Leave to request bill of exceptions out of time having been granted and said request having been filed, record preparation date extended to January 2, 2025.

A-24-000855

State v. Alvin J Melendez

Appellant's Brief Date Re-established

Record preparation date having been re-established to be January 2, 2025, Appellant's brief date re-established to be February 3, 2025.

A-24-000856

State v. Alvin J Melendez

By order of Court re: Record Prep Date

Leave to request bill of exceptions out of time having been granted and said request having been filed, record preparation date extended to January 2, 2025.

A-24-000856

State v. Alvin J Melendez

Appellant's Brief Date Re-established

Record preparation date having been re-established to be January 2, 2025, Appellant's brief date re-established to be February 3, 2025.

A-24-000862

Rogers v. Talbot

Praecipe for Bill of Exceptions

Court receives copy of praecipe for supplemental bill of exceptions filed by Appellant. No supplemental bill of exceptions may be prepared and filed unless prior approval for preparation is sought and received by the appellate court. There being no prior motion for preparation of supplemental bill of exceptions filed with Clerk of Supreme Court/Court of Appeals, no supplemental bill of exceptions shall be prepared.

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A-24-000867

Koch v. City of Sargent, NE

No B/E Filed Failure to pay

Notice received from Clerk of District Court demonstrating Appellant has failed to pay for bill of exceptions within time period allowed. Case will proceed as if no request for bill of exceptions was received. See Neb. Ct. R. App. P. § 2-105(B)(1)(e).

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S-24-000484

State v. Aubrey C Trail

Motion Admission Pro Hac Vice - No fee

Motion for admission of Laurence Koup as counsel pro hac vice

sustained subject to taking the oath consistent with Neb. Rev. Stat. §
24-1002.

S-24-000484

State v. Aubrey C Trail

Motion to Waive Pro Hac Vice Fee

Motion to waive pro hac vice fee denied without prejudice to a showing
of the basis within Neb. Ct. R. § 3-122 upon which movant relies.

Either the showing of cause for the granting of the motion or the
payment of the pro hac vice fee due on or before December 12, 2024.

S-24-000816

State v. Ryan M Elseman

Notice of Payment of Estimated B/E Costs

Payment of the bill of exceptions out of time accepted.