

Court of Appeals of Nebraska  
Office of the Clerk

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A-24-000212

Bush v. Tony's Crew, Inc

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

A-24-000340

Vikkisu J. v. Whittlesey

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

A-24-000341

Stansifer v. Whittlesey

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

A-24-000404

In re Estate of Warner

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

A-24-000677

In re Estate of Clason

Motion Appt to Extend Reply Brief Date  
Motion sustained; Appellant's reply brief date extended to March 24,  
2025.

A-25-000018

State v. Matthew J Earhart

APPE Default Notice

This matter having been brought to the attention of this court, it is hereby ordered that the Lincoln County District Court, pursuant to Neb. Rev. Stat. § 29-2315.02, determine whether the appellee is indigent and, if he is, to appoint counsel to represent him in this docket error proceeding.

A-25-000048

State v. Walter J Bicknase

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 April 14, 2025.

A-25-000085

State v. Nicholas S Southwick

ROD Motion Appellant to Dismiss Appeal  
Stipulation allowed; appeal dismissed. Mandate to issue accordingly forthwith.

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S-23-000856

In re Masek Family Trust

Motion of Appellants for Rehearing

Motion of Appellants for rehearing overruled.

S-24-000808

State v. Armon K Rejai

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.

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A-24-000083

State v. Alejandro R Duarte

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

A-24-000849

State v. Luis Hernandez-Melendez

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-24-000974

State v. Michael C Alford Jr

ROD Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is sustained; judgment affirmed. Appellant's sentence is within the statutory range and there was no abuse of discretion by the trial court. See State v. Price, 306 Neb. 38, 944 N.W.2d 279 (2020) (sentence not abuse of discretion when nothing indicates sentencing court considered inappropriate factors or ignored mitigating factors).

A-25-000024

Brown v. O'Gorman

Motion of Appellant for Rehearing  
Appellant's motion for rehearing is overruled. The only properly notarized poverty affidavit in our record was not timely filed and Appellant's documents provided in support of her motion for rehearing confirm that the poverty affidavit was declined on January 17, 2025. When the Legislature fixes the time for taking an appeal, the courts have no power to extend the time directly or indirectly. Fitzgerald v. Fitzgerald, 286 Neb. 96, 835 N.W.2d 44 (2013). Furthermore, no evidence was presented that the decline of the poverty affidavit resulted from an electronic filing system error. See In re Interest of Luz P., 295 Neb. 814, 891 N.W.2d 651 (2017).

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S-24-000200

State v. Stephen M Pullens

Motion to Appeal Withdrawal of Counsel

Motion of Appellant for substitute counsel overruled. Supplemental record shows that Appellant had choice of retaining previously appointed counsel or representing himself, and chose to represent himself. Appellant's motion for continuance also overruled. Appellant's motion dated March 12, 2025, for appointment of replacement counsel or resubmission of brief is overruled.

S-24-000214

State v. Stephen M Pullens

Motion to Appeal Withdrawal of Counsel

Motion of Appellant for substitute counsel overruled. Supplemental record shows that Appellant had choice of retaining previously appointed counsel or representing himself, and chose to represent himself. Appellant's motion for continuance also overruled. Appellant's motion dated March 12, 2025, for appointment of replacement counsel or resubmission of brief is overruled.

S-24-000909

State v. Thunder Collins

Motion of Appellant to Extend Brief Date

Good cause having been shown, Appellant's motion to extend brief date to April 7, 2025, is sustained.

S-25-000165

State v. Wilbert C Smith

Ruling Reserved Motion to Withdraw

Motion to withdraw filed by appellant counsel, Benjamin Bramblett, taken under further advisement pending compliance with Neb. Ct. R. 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. Compliance shall be provided to the Court within three days of this notice.

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S-24-000200

State v. Stephen M Pullens

Motion to Appeal Withdrawal of Counsel

Court's order dated March 17, 2025, sent in error. Appellant's motion to appeal withdrawal of counsel and motion to replace counsel remain under submission to the court.

S-24-000214

State v. Stephen M Pullens

Motion to Appeal Withdrawal of Counsel

Court's order dated March 17, 2025, sent in error. Appellant's motion to appeal withdrawal of counsel and motion to replace counsel remain under submission to the court.

S-25-000165

State v. Wilbert C Smith

Notice on Reserved Ruling Entry

This court's order dated March 17, 2025, entered in error. Motion to withdraw filed by attorney Benjamin Bramblett remains under submission to the court.