

Court of Appeals of Nebraska  
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A-24-000151

State of Nebraska obo Novalee H. v. Evan S.

ROD Submitted to Court without Oral Argument  
Affirmed. Welch, Judge. See memorandum web opinion.

A-24-000171

State v. Travis Belina

ROD Submitted to Court without Oral Argument  
Affirmed. Moore, Judge. See memorandum web opinion.

A-24-000203

Ramirez v. Magana

ROD Submitted to Court without Oral Argument  
Affirmed. Welch, Judge. See memorandum opinion.

A-24-000270

State v. David L Hickman Jr

ROD Submitted to Court without Oral Argument  
Affirmed. Moore, Judge. See memorandum web opinion.

A-24-000282

Kilroy v. Kuldip Singh and Cheema Investments LLC

ROD Submitted to Court Without Oral Argument  
Affirmed. Welch, Judge. See memorandum opinion.

A-24-000383

Williams v. Williams

ROD Submitted to Court without Oral Argument  
Affirmed. Arterburn, Judge. See memorandum web opinion.

A-24-000508

State v. Michael J Sands

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 April Review Docket of the Nebraska Court of Appeals.

A-24-000560

In re Interest of Isabella L.

ROD Submitted to Court without Oral Argument  
Affirmed. Welch, Judge. See memorandum opinion.

A-24-000599

Welchert v. Abe's Trash Service

ROD Submitted to Court without Oral Argument  
Affirmed. Pirtle, Judge. See memorandum web opinion.

A-24-000940

State v. Stephen M Damore

Motion Appt to Expand Word Page Limit

Appellant's motion to expand word limit, filed contemporaneously with Appellant's brief, is sustained. No further briefing by Appellant will be allowed. See Neb. Ct. R. App. P. 2-103(C)(3)(a).

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A-25-000199

Npimnee v. Piccolo

By Order of Court re Record Prep Date

Request for bill of exceptions having been contained within the Notice of Appeal, record preparation date is re-established to be April 30, 2025.

A-25-000199

Npimnee v. Piccolo

Appellant's Brief Date Re-Established

Record preparation date having been re-established to be April 30, 2025, Appellant's brief date is re-established to be May 30, 2025.

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S-24-000680

In re Estate of Walker

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.

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A-24-000760

Koch v. Biden

Waiver Appellant of Oral Argument

Appellant's motion to be excused from appearing for oral argument sustained.

A-24-000777

State v. Charles J Heckard Jr

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). Appellant's successive motion for post conviction relief untimely filed. See Neb. Rev. Stat. § 29-3001(4) (Cum. Supp. 2024). The 2023 amendment to § 29-2221(1)(c) does not apply retroactively. See Moore v. Peterson, 218 Neb. 615, 358 N.W.2d 193 (1984) (legislative act operates only prospectively and not retrospectively unless legislative intent and purpose that it should operate retrospectively is clearly disclosed).

A-24-000853

State v. Rachel R Therien

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-24-000854

State v. Jordan L Bohman

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The district court took the appropriate factors into consideration when sentencing Appellant. The court adequately stated its reasoning for the sentence of incarceration in open court, on the record, as required by Neb. Rev. Stat. § 29-2204.02(3) (Reissue 2016). See State v. Baxter, 295 Neb. 496, 888 N.W.2d 726 (2017). The sentences 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-24-000903

State v. Edwin Caceres, Jr.

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The district court took the appropriate factors into consideration when sentencing Appellant. The court adequately stated its reasoning for the sentence of incarceration in open court, on the record, as required by Neb. Rev. Stat. § 29-2204.02(3) (Reissue 2016). See State v. Baxter, 295 Neb. 496, 888 N.W.2d 726 (2017). 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

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imposed within statutory limits).

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A-24-000941

State v. Sergio R Salazar Pena

ROD Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The district court took the appropriate factors into consideration when sentencing Appellant. The court adequately stated its reasoning for the sentence of incarceration in open court, on the record, as required by Neb. Rev. Stat. § 29-2204.02(3) (Reissue 2016). See State v. Baxter, 295 Neb. 496, 888 N.W.2d 726 (2017). 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-25-000047

Welch v. Keller

ROD Misc Submission to Court - Jurisdiction  
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). Appellant did not file a notice of appeal following the district court's order of January 21, 2025, denying his application to appeal in forma pauperis, nor did he pay the fees. See Neb. Rev. Stat. § 25-2301.02(1) (Reissue 2016); Mumin v. Frakes, 298 Neb. 381, 904 N.W.2d 667 (2017) (when in forma pauperis denied, applicant may proceed with the matter upon payment of fees, costs, or security; or appeal the order denying in forma pauperis).

A-25-000047

Welch v. Keller

Poverty Application and Affidavit  
By order of the Court, matter having been dismissed, Appellant's application to proceed in forma pauperis overruled as moot.

A-25-000123

National Account Systems of Omaha v. West

ROD Misc Submission to Court re Jurisdiction  
Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). In her appeal from the county court to the district court, Appellant failed to pay a docket fee or file a poverty affidavit following the entry of the county court's judgment of September 16, 2024. See Neb. Rev. Stat. § 25-2729(1) (Cum. Supp. 2024). Thus, the district court never acquired subject matter jurisdiction of the appeal. When a lower court lacks subject matter jurisdiction to adjudicate the merits of a claim, issue, or question, an appellate court also lacks the power to determine the merits of the claim, issue, or question presented to the lower court. In re Estate of Weeder, 318 Neb. 393, 16 N.W.3d 137 (2025).

A-25-000123

National Account Systems of Omaha v. West

Mot Appt Leave Request BOE Out Of Time  
By order of the Court, case having been dismissed for lack of jurisdiction, Appellant's motion for leave to request bill of

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exceptions overruled as moot.

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ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000116

In re Interest of Franklin M.

Order to Show Cause re Jurisdiction

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S-24-000707

Kimball v. Rosedale Ranch, Inc.

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-24-000839

Henderson State Company v. Garrelts

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.