

Supreme Court of Nebraska
Office of the Clerk

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S-23-000953

State v. Shaquille M Falcon

ROD

Petition of Appellant for Further Review

Petition of Appellant for further review granted. By order of the Court the parties shall submit supplemental briefs in conformance with Neb. R. App. P. § 2-102(H) addressing whether the Court of Appeals erred in finding that the district court did not err in admitting Exhibits 55 through 61 and 63 through 66 for the fact that the exhibits lacked foundation, were altered by the State, and deprived the Appellant the right to confront the person who allegedly put the exhibit together. Further briefing pursuant to § 2-102(H) is left to the discretion of the parties. No extension of time shall be granted without a showing of good cause. Upon the filing of Appellee's supplemental brief, the case is to be placed on the next proposed call of the Nebraska Supreme Court to occur on May 20, 21, 22, 23, 2025,

S-24-000357

County of Hayes, Nebraska v. County of Frontier, Nebraska

Mot Appt to Appear via Web-Conferencing

Motion of Appellant to appear for oral argument via web-conferencing is sustained. Clerk's office to make arrangements with Appellant counsel.

S-24-000711

State v. Danny L Ball

Motion of Appellee to Lift Stay

Motion of Appellee to dissolve stay is sustained.

S-24-000711

State v. Danny L Ball

Appellee's Brief Date Re-Established

Stay having been dissolved, Appellee's brief date re-established to April 23, 2025.

S-25-000132

State v. John R Oldson

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 May 7, 2025.

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A-24-000091

State v. Jaron Dean

Mot Appt Leave Supp BOE/File Supp Brf

All relief requested in the March 14, 2025 motion filed by Appellant is overruled.

A-24-000350

Schroeder v. Schroeder

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 Call of the Nebraska Court of Appeals.

A-24-000602

State v. William L Holland

ROD Petition of Appellant for Further Review

Appellant's petition for further review denied.

A-24-000662

In re Interest of Fidencio C.

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 Call of the Nebraska Court of Appeals.

A-24-000662

In re Interest of Fidencio C.

Mot Appe Allow SLS to Present Oral Arg

Case having been submitted without oral argument, motion of Appellee to allow senior certified law student to present oral argument overruled as moot.

A-24-000674

In re Interest of Jovani L.

ROD Petition of Appellant for Further Review

Appellant's petition for further review denied.

A-24-000938

State v. Jason W McKillip

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); State v. Greer, 309 Neb. 667, 962 N.W.2d 217 (2021) (sentencing court is not required to articulate on record that it has considered each sentencing factor nor make specific findings as to facts pertaining to factors or weight given them).

A-24-000968

State v. Cristofer Cruz

ROD Mot. of Appellee for Summary Affirmance

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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); State v. Wills, 285 Neb. 260, 826 N.W.2d 581 (2013) (It is within discretion of trial court whether to impose probation or incarceration and appellate court will uphold court's decision denying probation absent abuse of discretion); State v. Greer, 309 Neb. 667, 962 N.W.2d 217 (2021) (sentencing court is not required to articulate on record that it has considered each sentencing factor nor make specific findings as to facts pertaining to factors or weight given them).

A-25-000041

State v. Joshua D Lopez

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-25-000125

State v. Trevor M Jones

ROD Mot. of Appellee for Summary Dismissal

Appellee's motion for summary dismissal is sustained. See Neb. Ct. R. App. P. § 2 107(B)(1). Appellant's attempt to file a direct appeal in a criminal case failed to comply with Neb. Rev. Stat. § 29-2315.01 (Cum. Supp. 2024). See also, State v. Johnson, 259 Neb. 942, 613 N.W.2d 459 (2000) (failure to strictly comply with § 29-2315.01 prevents State from obtaining review of trial court's final order in criminal case); State v. Penado, 282 Neb. 495, 804 N.W.2d 160 (2011) (Nebraska appellate courts have consistently maintained that strict compliance with § 29-2315.01 is required to confer jurisdiction).

A-25-000148

In re Interest of Samara B.

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). The juvenile court's order, filed January 30, 2025, does not yet affect Appellant's substantial rights. See In re Interest of Tayla R., 17 Neb. App. 595, 767 N.W.2d 127 (2009). The order did not clearly change the permanency objective for the appellant and implicitly provided her an opportunity for reunification by complying with the terms of the rehabilitation plan.

A-25-000180

State v. Gabriel A Jimenez

ROD Motion Appellant to Dismiss Appeal

Response having been waived by Appellee, motion of Appellant to dismiss appeal sustained pursuant to Neb. Ct. R. App. P. § 2-108(F). Mandate to issue accordingly forthwith.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

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A-25-000158

State v. Seth A Weber

Order to Show Cause re Late BOE Request