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A-24-000270

State v. David L Hickman Jr

ROD

Petition for Further Review - No brief

Petition of Appellant for further review summarily denied for failure to comply with Neb. Ct. R. § 2-102.

A-24-000441

Kaufman v. Kaufman

Motion of Appellee for Attorney Fees

Motion of Appellee for attorney fees is sustained, in part. Appellant is ordered to pay a portion of Appellee's attorney fees in the amount of \$850.00.

A-24-000695

State v. January T Wheeler

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 May Review Docket Call of the Nebraska Court of Appeals.

A-24-000739

McDonnell v. McDonnell

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 May Review Docket Call of the Nebraska Court of Appeals.

A-24-000819

State obo Paul O v. Samuel O

Mot of Appe State to Clarify the Record

Motion of Appellee State of Nebraska to clarify the record sustained. Default notice directed to Appellee State of Nebraska issued in error and is hereby stricken.

A-24-000875

State v. Terra L Rap

Order to Show Cause re Co-Counsel

There being no response to this court's April 7, 2025, order to show cause, attorney Theresa M. Siglar is deemed Appellant's co-counsel with attorney Timothy P. Sullivan in this appeal.

A-24-000931

State v. Almondo P Turner

ROD

Mot. of Appellee for Summary Affirmance

Motion of Appellee 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-25-000011

Bussard v. Bussard

Motion of Appellant to Extend Brief Date

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Motion of Appellant to extend brief date sustained. By order of the Court, Appellant's FINAL brief date extended to two weeks after the filing of the corrected bill of exceptions. Failure to file brief on or before extended due date will result in dismissal without further notice.

A-25-000052

State v. Lorena Badillo Ferretiz

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-25-000053

State v. Julian Poor Bear

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The 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-25-000066

State v. Tony Nguyen

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Morton, 310 Neb. 355, 966 N.W.2d 57 (2021) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-25-000101

In re Estate of Svoboda

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's/Appellee's FINAL brief date extended to June 16, 2025.

A-25-000125

State v. Trevor M Jones

Motion Appellant for Rehearing & Brief

Motion of Appellant for rehearing is overruled. The State's reliance on State v. Harris, 307 Neb. 237 948 N.W.2d 736 (2020), is misplaced because Harris involved the appeal of a civil, not criminal matter. Further, the State had the opportunity to respond to the issue of this court's lack of jurisdiction over the State's appeal in both its response to this court's order to show cause and its motion for rehearing.

A-25-000130

McCroy v. Dept of Correctional Services

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to April 28, 2025.

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A-25-000130

McCroy v. Dept of Correctional Services

Appellant's Brief Date Re-Established

Record preparation date having been re-established to April 28, 2025,

Appellant's brief date extended to May 28, 2025.

A-25-000154

State v. Makaila M Fryrear

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief

date extended to May 21, 2025. Failure to file brief by said date

subjects appeal to dismissal without further notice due to brief being

in default.

A-25-000163

State v. Jesse L Wade

Motion to Withdraw - McArthur for Appt

Motion to withdraw sustained; Brett McArthur allowed to withdraw as
counsel for Appellant.

A-25-000204

State v. Hope T Npimnee

Praeipice for Supplemental BOE

Original praeipice for bill of exceptions was timely filed with the

Notice of Appeal. Praeipice for supplemental bill of exceptions filed

April 18, 2025, setting out specific dates allowed to stand. Time for
preparation of bill of exceptions re-established to June 12, 2025.

A-25-000204

State v. Hope T Npimnee

Appellant's Brief Date Re-Established

Record reparation date having been re-established to June 12, 2025,

Appellant's brief date extended to July 14, 2025.

A-25-000233

State v. Erron D Boone

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P.

§ 2-107(A)(1). Appellant's March 27, 2025, notice of appeal was not

filed within 30 days of the district court's January 9, 2025, order

denying his motion for postconviction relief. The "Petition for

Further Review" filed on January 23, 2025, in the district court did

not toll the time for appeal. See Neb. Rev. Stat. §§ 25-1329 and 25-

1912(3)(b) (Reissue 2016 & Cum. Supp. 2024). In order for a motion to

alter or amend to toll the time for appeal, it must be filed no later

than 10 days after the entry of judgment and must seek substantive

alteration of the judgment. State v. Bellamy, 264 Neb. 784, 652 N.W.2d

86 (2002). In addition, Appellant's poverty affidavit was not

notarized and so did not serve as a substitute for the docket fee

otherwise required on appeal. See e.g. State v. Haase, 247 Neb. 817,

530 N.W.2d 617 (1995).

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A-25-000234

State v. Erron D Boone

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's March 27, 2025, notice of appeal was not filed within 30 days of the district court's January 9, 2025, order denying his motion for postconviction relief. The "Petition for Further Review" filed on January 23, 2025, in the district court did not toll the time for appeal. See Neb. Rev. Stat. §§ 25-1329 and 25-1912(3)(b) (Reissue 2016 & Cum. Supp. 2024). In order for a motion to alter or amend to toll the time for appeal, it must be filed no later than 10 days after the entry of judgment and must seek substantive alteration of the judgment. State v. Bellamy, 264 Neb. 784, 652 N.W.2d 86 (2002). In addition, Appellant's poverty affidavit was not notarized and so did not serve as a substitute for the docket fee otherwise required on appeal. See e.g. State v. Haase, 247 Neb. 817, 530 N.W.2d 617 (1995).

A-25-000238

In re Interest of Annabella M.

Order to Show Cause re Supp BOE Leave

Appellee Robert Baer's leave to file request for supplemental bill of exceptions granted. Praecipe filed by Appellee on April 11, 2025, accepted as filed.

A-25-000279

Akech v. Ring

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant failed to pay a docket fee or file a poverty affidavit within 30 days of the district court's March 12, 2025, order dismissing the application for a domestic abuse protection order. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-25-000286

Platte Valley Bank v. Outcast Livestock Transport, LLC,

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). The order of April 11, 2025, is not a final order under Neb. Rev. Stat. § 25-1902(1), as the order is of temporary duration and subject to further action by the court. See, e.g., Tegra Corp. v. Boeshart, 311 Neb. 783, 976 N.W.2d 165 (2022); State v. McColery, 297 Neb. 43, 898 N.W.2d 349 (2017). In addition, the order does not resolve all the claims of all the parties in this action. See Neb. Rev. Stat. § 25-1315(1) (Reissue 2016). In cases where § 25-1315(1) is implicated, more specific statute governs the appeal, an order resolving fewer than all claims against all parties is not final and appealable if it lacks proper § 25-1315 certification. This is so even if the order otherwise satisfies one of the final order categories in § 25-1902(1). Mann, 312 Neb. 275, 978 N.W.2d 606 (2022).

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S-24-000407

Ramaekers v. Creighton University

Mot Admiss Pro Hac Vice - Patricia Finn

Motion for admission pro have vice by attorney Patricia Finn overruled without prejudice.

S-24-000817

State v. Joshua D Tackett

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 May 21, 2025.

S-24-000839

Henderson State Company v. Garrelts

Ruling reserved re Motion to Withdraw

Motion to withdraw filed by Appellee's counsel, James T. Schmidt, Jr. taken under further advisement. Counsel granted 10 days to show cause why motion to withdraw should not be overruled for failure to comply with Neb. Ct. R. § 2-106(F).

S-25-000165

State v. Wilbert C Smith

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to May 15, 2025.

S-25-000165

State v. Wilbert C Smith

Appellant's Brief Date Re-Established

Record preparation date having been re-established to May 15, 2025, Appellant's brief date extended to June 16, 2025.

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S-24-000618

State v. Keloni Jones

ROD Submission to Court

Affirmed. Cassel, Justice. Papik, Justice, concurring.

S-24-000663

Cyboron v. Merrick County

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-24-000711

State v. Danny L Ball

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief
date extended to May 23, 2025.

S-25-000174

State ex rel. Counsel for Discipline v. Lawler

ROD Voluntary Surrender of License

Judgment of disbarment. Per Curiam.

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A-24-000850

State v. Christopher C Ansell

Motion of Appellant to Exceed Word Count

Motion of Appellant to exceed word limit sustained. Appellant's brief word limit expanded to 20,000 words to include Appellant's brief in chief and reply brief combined.

A-24-000897

Gilmore-Hernandez v. Hernandez-Esquer

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 May 1, 2025.

A-24-000943

State v. Sabrina M Nielson

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E) (3), Appellee's FINAL brief date extended to May 23, 2025.

A-24-000981

State v. Brittany Two Two

Mot Appt Counsel Soucie to Withdraw

Motion to withdraw sustained; Gerald L. Soucie allowed to withdraw as counsel for Appellant.

A-25-000107

Cutler v. Anderson

ROD Motion of Appellant to Dismiss Appeal

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

A-25-000111

Bazan v. Gonser

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to June 3, 2025.

A-25-000111

Bazan v. Gonser

Appellant's Brief Date Re-Established

Record preparation date having been re-established to June 3, 2025, Appellant's brief date extended to July 3, 2025.

A-25-000112

State v. Robert S Wigget Jr

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E) (3), Appellant's FINAL brief date extended to June 20, 2025.

A-25-000122

Peak v. McDonald's

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs;

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mandate to issue accordingly.

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A-25-000159

Tyler v. Lewien

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

A-25-000187

State v. Rosita A Vizcarra

Ruling reserved re Appt Mot Ext Brf Date
Motion of Appellant to extend brief date held under advisement pending
a showing of exceptional cause within three days of this order. See
Neb. Ct. R. App. § 2-106(E)(3).

A-25-000212

Storm v. Cornutt

Order to Show Cause re Late BOE Payment
Cause having been show, payment for bill of exceptions estimate on
April 10, 2025, accepted. Preparation of bill of exceptions may
proceed.

A-25-000273

State v. Sammy L Brown II

Motion Appt Counsel Molvar to Withdraw
Motion to Withdraw sustained; Todd Molvar allowed to withdraw as
counsel for Appellant.

A-25-000275

State v. Sammy L Brown Jr

Motion Appt Counsel Molvar to Withdraw
Motion to Withdraw sustained; Todd Molvar allowed to withdraw as
counsel for Appellant.

A-25-000284

State v. Aubree N Vculek

Ruling reserved Appt Cnsl Siglar to W/D
Motion to withdraw filed by attorney Theresa M. Siglar taken under
advisement. Counsel is provided seven days to supplement the record
showing replacement counsel has been appointed by trial court.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000219

Hempel Properties, LLC v. Omaha City Council
Order to Show Cause re: Late BOE Payment

A-25-000250

Conroy v. Frank

Order to Show Cause re Late BOE Payment

A-25-000264

State obo Aarayah L. v. David W.

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Order to Show Cause re Late BOE Request

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