

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000398

Vargas v. Vargas

Motion of Appellee to Continue Oral Arg

Motion of Appellee to continue oral argument overruled as moot.

A-23-000398

Vargas v. Vargas

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 Proposed Call of the Nebraska Court of Appeals.

A-23-000478

Libra v. Lahm

By order of the Court Placed on Call

By order of the Court, matter removed from the Court of Appeals April Review Docket and placed on the Court of Appeals Call for oral argument to be heard on Wednesday, April 9, 2024, at 9:00am as the last case of the day.

A-23-000577

State v. Reynaldo A De Los Angeles

Motion of Appellant to Continue OA

By order of the Court, matter removed from the Court of Appeals April Review Docket and placed on the Court of Appeals Call for oral argument to be heard on Wednesday, April 10, 2024, at 9:00am as the last case of the day.

A-23-000716

State v. Justin J Bartels

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date sustained in part; Appellant's brief due on or before April 23, 2024. No further extensions will be allowed.

A-23-000779

State v. Casey B Nix

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

A-23-000884

Young v. Miller

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance is granted. See Garrison v. Otto, 311 Neb. 94, 970 N.W.2d 495 (2022). Appellant's motion to quash is denied. See Neb. Ct. R. App. P. § 2-107(B)(2) (providing for motion for summary affirmance). Appellant's motion to vacate protection order is denied. See Neb. Rev. Stat. § 42-925(1) (Cum. Supp. 2022) (deeming petition and affidavit offered into evidence at any show-cause hearing). Appellant's motion for summary judgment is denied as moot.

A-23-000981

Mehner v. Doe

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Motion of Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to April 8, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2).

A-23-001003

Guzman v. Guzman

ROD APPT Default Notice

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

A-24-000005

Lindell v. Hoyt

Ruling reserved Motion to Withdraw Vogt
Motion to withdraw filed by Appellant's counsel, Diana Vogt, taken under 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 seven days of this notice.

A-24-000091

State v. Jaron Dean

Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of exceptions extended to April 12, 2024.

A-24-000091

State v. Jaron Dean

Appellant's Brief date extended
Record preparation date having been extended to April 12, 2024, Appellant's brief date extended to May 13, 2024.

A-24-000098

State v. Jeremy P Doss

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

A-24-000132

State obo Josselynn S. v. Gregory S.

Motion to Withdraw Rowling
Motion sustained; Jennifer Rowling allowed to withdraw as counsel for Appellee.

A-24-000177

State v. Juan G Martinez

Motion of Appt for Supp/Amend BOE
Motion to request a supplemental bill of exceptions out of time in regards to hearing conducted on January 16, 2024 sustained.

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A-24-000178

In re Interest of Lorenz T.

Motion of Appellant to Consolidate

By order of the Court, cases 24-0178, 24-0181, 24-0183 and 24-0184 consolidated for briefing and disposition.

A-24-000181

In re Interest of Lorenz T.

Motion of Appellant to Consolidate

By order of the Court, cases 24-0178, 24-0181, 24-0183 and 24-0184 consolidated for briefing and disposition.

A-24-000183

In re Interest of Lorenz T.

Motion of Appellant to Consolidate

By order of the Court, cases 24-0178, 24-0181, 24-0183 and 24-0184 consolidated for briefing and disposition.

A-24-000184

In re Interest of Lorenz T.

Motion of Appellant to Consolidate

By order of the Court, cases 24-0178, 24-0181, 24-0183 and 24-0184 consolidated for briefing and disposition.

A-24-000182

Coe v. Johnson

Order to Show Cause Late BOE Request

Appellant fails to provide good cause for late request for bill of exceptions which cause was not in the party's reasonable control. The request for leave is denied. See Neb. Ct. R. App. P. 2-105(B)(2). See also Friedman v. Friedman 290 Neb. 973(2015) (holding, a pro se litigant will receive the same consideration as if he or she had been represented by an attorney, and, concurrently, that litigant is held to the same standards as one who is represented by counsel.)

A-24-000198

State v. Peh B Lu

Motion of Appellant to Consolidate

By order of the Court, cases 24-0198 and 24-0199 consolidated for briefing and disposition.

A-24-000199

State v. Peh B Lu

Motion of Appellant to Consolidate

By order of the Court, cases 24-0198 and 24-0199 consolidated for briefing and disposition.

A-24-000202

State v. Donald G Bonar

Order to Show Cause Late BOE Request

Motion for leave to request late filing of request for bill of exceptions out of time sustained. Appellant shall file their request within three days of this order.

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A-24-000210

Borowski v. Walker

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). When a motion to reinstate a case does not introduce an intervening new matter and instead merely contends that the initial order dismissing the case was erroneous, the appeal of an order denying that motion is untimely if not filed within 30 days of the order initially dismissing the matter. Green v. Seiffert, 304 Neb. 212, 933 N.W.2d 590 (2019). In addition, a party can move the court to vacate or modify a final order, but if the court does not grant the motion, a notice of appeal must be filed within 30 days of the entry of the earlier final order if the party intends to appeal it. See Bryson L. v. Izabella L., 302 Neb. 145, 921 N.W.2d 829 (2019).

A-24-000230

State v. Sunday Mat Wur

Motion to Withdraw Sieben

Motion sustained; James Sieben allowed to withdraw as counsel for Appellant.

A-24-000238

Stengel v. Heartland Bank

Mot of Appt to file Praecept for BOE

Appellant fails to demonstrate good cause which cause was not in Appellant's reasonable control as to leave sought on April 1, 2024 in relation to notice of appeal filed on March 27, 2024, leave to request late filing of bill of exceptions is denied. See Neb. Ct. R. App. P. 2-105(B)(2)(f).

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S-23-001012

State v. Kevin T Kilmer

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to May 6, 2024. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

S-23-001027

State v. Andre D Robinson

Motion Appellant to Ext S/A Response

Request of appellant for 30-day extension to file objection to motion for summary affirmance granted. Response to Appellee's summary affirmance due on or before May 2, 2024.

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A-23-000478

Libra v. Lahm

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argument to be heard on Tuesday, April 9, 2024, at 9:00am as the
last case of the day. (Corrected)