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A-24-000091

State v. Jaron Dean

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-24-000109

State v. Shane C Borer

ROD Petition of Appellant for Further Review

Appellant's petition for further review is denied as untimely filed under Neb. Ct. R. App. P. § 2-102(F)(1).

A-24-000570

Strauss v. Strauss

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-24-000733

In re Interest of Alaina G.

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-24-000841

State v. Zackary N Gotschall

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-24-000917

State v. Selassie H Spencer

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 and the sentences were clearly within statutory limits. A sentence imposed within the statutory limits will not be disturbed on appeal in the absence of an abuse of discretion by the trial court. State v. Horne, 315 Neb. 766, 1 N.W.3d 457 (2024). The sentence imposed did not constitute an abuse of discretion

A-25-000002

Gay v. Board of Engineers and Architects

Motion of Appellant to Extend Brief Date

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

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A-25-000094

State v. Kim K Liech

Neb. Ct. R. App. P. § 2-105(C)(5) Notice

Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date or a request by court reporting personnel for an extension of time to prepare the same.

A-25-000105

State v. Kevin W Malone

Motion of Appellant for Rehearing

Appellant's motion for rehearing is granted; case is reinstated. See In re Interest of Kayla F., 13 Neb. App. 679, 698 N.W.2d 468 (2005) (timely notice of appeal and docket fee, excluding cost bond, is all that is necessary to perfect appeal).

A-25-000105

State v. Kevin W Malone

Mot Appt Leave Request BOE Out of Time

Appellant's motion for leave to request bill of exceptions out of time is denied. See Neb. Ct. R. App. P § 2-105(B)(2) (no request for late bill of exceptions may be filed without leave of appellate court for good cause shown, which cause shall not be within party's reasonable control). See also Charter West Bank v. Riddle, 314 Neb. 263, 989 N.W.2d 428 (2023) (self-represented litigant will receive same consideration as if he or she had been represented by attorney, and, concurrently, that litigant is held to same standards as one who is represented by counsel).

A-25-000116

In re Interest of Franklin M.

Order to Show Cause re Jurisdiction

Cause shown as required by this Court's order of March 18, 2025. Case to proceed. Appellant having been granted in forma pauperis status by the juvenile court on February 19, 2025, her application to proceed in forma pauperis filed in this court is denied as moot.

A-25-000152

Sonier v. John

ROD Motion of Appellant to Dismiss Appeal

Appellant's motion to dismiss appeal is sustained. Appeal dismissed.

A-25-000189

State v. Angel M Villalobos

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2 107(A)(1). The transcript contains a copy of Appellant's motion to alter or amend an order which overruled his prior "Motion to Correct Illegal, Unauthorized, Invalid Portion of Sentence." The only other document contained in the transcript is the district court's order denying the motion to alter or amend. There is no criminal procedure authorized by statute that allows the defendant to file a motion to correct his criminal sentence nor for him to file a motion to alter or

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amend judgment on such a motion. When a criminal defendant files a motion that is not authorized and therefore is unavailable under Nebraska criminal procedure, the motion is a procedural and legal nullity. The district court lacked subject matter jurisdiction to consider the motion as does this court. Any court order adjudicating such a motion presents nothing for appellate review. See, State v. Boone, 314 Neb. 622, 992 N.W.2d 451 (2023); State v. Melton, 308 Neb. 159, 953 N.W.2d 246 (2021).

A-25-000215

State v. William J Quinn

By order of Court re Record Prep Date

Trial court having failed to send request for bill of exceptions with the notice of appeal, record preparation date established to be May 5, 2025.

A-25-000215

State v. William J Quinn

Appellant's Brief Date Established

Record preparation date having been established to be May 5, 2025, Appellant's brief date extended to June 4, 2025.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000190

State v. Francisco Nieto

Order to Show Cause re Late BOE Payment

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S-23-000860

Marousek obo Vivianne M. v. Nebraska Pediatric Practice Inc.

By order of Court Appoint J. Arterburn

By order of the Court, the Honorable David K. Arterburn, Judge for the Nebraska Court of Appeals, is appointed to serve as a Nebraska Supreme Court Justice for Case No. S-23-0860, Marousek obo Vivianne M. v. Nebraska Pediatric Practice Inc., currently scheduled for oral argument on Wednesday, April 30, 2025. See order.

S-24-000484

State v. Aubrey C Trail

By order of Court Appoint J. Volkmer

By order of the Court, the Honorable Cindy Volkmer, District Court Judge for the 11th Judicial District, is appointed to serve as a Nebraska Supreme Court Justice for Case No. S-24-0484, State v. Trail, currently scheduled for oral argument on Wednesday, April 30, 2025.

S-24-000722

State v. Quan A White

Request to Extend Bill Exceptions

Official court reporter's request of extension of bill of exceptions preparation until April 10, 2025, is granted.

S-24-000722

State v. Quan A White

Appellant's Brief Date Extended

Record preparation date having been extended to April 10, 2025, Appellant's brief date extended to May 12, 2025.

S-24-000820

State ex rel Clark v. Health and Human Services

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-25-000003

State v. Mariano Flores

Request to Extend Bill Exceptions

Official court reporter's request of extension of bill of exceptions preparation until April 21, 2025, is granted.

S-25-000003

State v. Mariano Flores

Appellant's Brief Date Extended

Record preparation date having been extended to April 21, 2025, Appellant's brief date extended to May 21, 2025.

S-25-000057

State v. Donald G Anthony

By order of Court re Requesting Leave

Appellant, having failed to request, and receive, leave of this court to file an untimely praecipe for a bill of exceptions is ordered to show cause, within ten days of this order, why the appeal should not

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proceed as if no praecipe for a bill of exceptions had been requested.

S-25-000209

State v. Raymond Evans

Request to Extend Bill Exceptions

Official court reporter's request for extension of bill of exception is sustained in part and overruled in part. Official court reporter granted an additional 45 days from the date of the original due date to prepare the bill of exceptions. Bill of exceptions due on or before June 23, 2025.

S-25-000209

State v. Raymond Evans

Appellant's Brief Date Extended

Record preparation date having been extended to June 23, 2025, Appellant's brief date extended to July 23, 2025.