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A-23-000549

Janda v. Janda

Motion Appellee for Attorney Fees

Appellee's motion for attorney fees is summarily denied for failure to cite to any rule or uniform course of practice in support of said motion. See Neb. Ct. R. App. P. § 2-106(G)(1).

A-23-000646

State v. Tommie L Williams

Post-Mandate Motion Appt to Reconsider

Mandate having been issued on June 3, 2024, motion of Appellant for reconsideration overruled for lack of jurisdiction.

A-23-000676

Williams v. Combat Veterans Motorcycle Association

Motion of Appellee for Attorney Fees

Appellee's motion for attorney fees is granted, in part, in the amount of \$7,800 to be divided as follows: \$1,800 awarded to attorney Christopher Bartling, and \$6,000 awarded to attorney Jason Davey. See Neb. Ct. R. App. P. § 2-106(G). Appellant clearly knew or reasonably should have known that his action was frivolous or made in bad faith. See Neb. Rev. Stat. § 25-824(6) (Reissue 2016). Where a litigant files an appeal without rational argument based on law to support its position the appeal is frivolous. See Nebraska Public Emp. Local 251 v. City of Omaha, 244 Neb. 328, 506 N.W.2d 686 (1993).

A-23-000697

Heard v. Silvus

ROD Submitted to Court without Oral Argument

Reversed and remanded for further proceedings. Bishop, Judge. (P)

A-23-000795

In re Interest of Armani 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 September Proposed Call of the Nebraska Court of Appeals.

A-23-000796

In re Interest of Kamari 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 September Proposed Call of the Nebraska Court of Appeals.

A-23-000816

State v. Tyrone W Estell

ROD Submission to Ct. re: Plea

Affirmed. Moore, Judge. See memorandum web opinion.

A-23-000832

Hruska v. Hellbusch

Case Review re Rule 2-111 Submission

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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 September Proposed Call of the Nebraska Court of Appeals.

A-23-000897

State v. Jeremy Torres

ROD Submission to Ct. re: Plea
Affirmed. Arterburn, Judge. See memorandum web opinion.

A-24-000017

State v. Shawn W Johnson Jr.

ROD Submission to Ct. re: Plea
Affirmed. Welch, Judge. See memorandum web opinion.

A-24-000110

Lonowski v. Potter

Appellant's Replacement Brief Due 7/9
Appellant's brief filed June 20, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3) regarding justification, margins, spacing, and footnotes; 2-103(A)(4) regarding fonts and underscored type; 2-103(C)(1) regarding cover contents; 2-103(C)(2) regarding page numbering; and 2-103(C)(4) regarding a certificate of compliance. Appellant's replacement brief complying with the above-referenced rules is due on or before July 9, 2024.

A-24-000176

State v. Alexis R Youngquist

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence imposed did not constitute an abuse of discretion. 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).

A-24-000177

State v. Juan G Martinez

Motion Appellee to Extend Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's FINAL brief date extended to July 24, 2024.

A-24-000223

State v. Brandon J Weathers

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Appellant's claims are procedurally barred. See, Neb. Rev. Stat. § 29-3001(3) (Supp. 2023); State v. Lotter, 311 Neb. 878, 976 N.W.2d 721 (2022).

A-24-000238

Stengel v. Heartland Bank

By order of the Court re Dismissal
An Appellant replacement brief was ordered on May 28, 2024, which set a due date for the replacement brief of June 11, 2024. No Appellant replacement brief having been filed by that due date, non-conforming

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brief filed May 20, 2024, is stricken. Accordingly, matter dismissed for failure to file a brief that is in conformance with Supreme Court Rules.

A-24-000238

Stengel v. Heartland Bank

Mot Appe Dismiss or Summary Affirmance

Case having been dismissed for failure to file briefs in conformance with Supreme Court Rules, Appellee's motion for summary dismissal or affirmance overruled as moot.

A-24-000335

State v. Herbert L Campbell

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is granted. Appellant's successive postconviction motion is time-barred. See State v. Amaya, 298 Neb. 70, 902 N.W.2d 675 (2017) (addition of statutory time limitation on defendant's postconviction remedy does not fall within four categories of ex post facto laws and therefore does not result in ex post facto punishment).

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S-23-000835

Hernandez v. JBS Holdings

Mot Appt Extend Brf Dt in Support M/RER

Motion of Appellant to extend time to file brief in support of motion for rehearing sustained. Brief in support filed June 17, 2024, accepted as filed.

S-23-000945

N'Da v. Hybl

Joint Motion to Extend Brief Date

Joint motion to extend brief dates considered; Appellants' reply brief and answer on cross-appeal filed on June 24, 2024, accepted as filed.

Appellee's reply brief on cross-appeal due on or before July 17, 2024.

S-24-000120

State v. James R Kalita

Motion Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to July 19, 2024.