

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: June 5, 2025

Page:

1

A-24-000661

State v. Arthur T Varney

Motion Appellant Extend PFR Filing Date

Motion of Appellant to extend deadline for filing petition for further review overruled. See Neb. Ct. R. App. P. § 2-102(F)(1) for filing deadlines.

A-24-000918

State v. Imhotep A Davis

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellant's brief date extended to June 20, 2025. No further extensions will be allowed.

A-25-000025

In re Interest of Ryker R.

Motion App State to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee State's brief date extended to June 27, 2025.

A-25-000047

Welch v. Keller

Motion of Appellant to Dismiss a Party

Appellant's motion to dismiss/withdraw party is overruled.

A-25-000047

Welch v. Keller

Motion of Appellant to Recall Mandate

Appellant's "Objection to Mandate-Motion for Reconsideration/Nunc Pro Tunc" is overruled.

A-25-000062

Evans v. Coen

ROD Motion of Appellant to Dismiss Appeal

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

A-25-000109

In re Guardian/Conservatorship of West

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; 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 July 14, 2025.

A-25-000111

Bazan v. Gonser

Appellant's Brief Date Extended

Record preparation date having been extended to July 14, 2025,

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: June 5, 2025

Page:

2

Appellant's brief date extended to August 13, 2025.

A-25-000116

In re Interest of Franklin M.

ROD APPT Default Notice

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

A-25-000118

State v. Kidonnie R Smith

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order  
of the Court, Appellant's brief date extended to July 7, 2025.

A-25-000154

State v. Makaila M Fryrear

Mot Appt Set Aside Dism & Reinstate

Appellant's motion to set aside dismissal and reinstate appeal  
sustained. Appellant's brief filed on May 22, 2025, accepted as filed.  
Case to proceed.

A-25-000173

In re Interest of Johann R.

Ruling Reserved re Motion to Withdraw

By order of the Court, counsel is provided an additional seven days to  
supplement the motion to withdraw as previously ordered on May 22,  
2025. Failure to respond on or before June 12, 2025, will result in  
overruling of motion previously filed.

A-25-000203

In re Interest of Mia C.

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of  
exceptions extended to June 13, 2025.

A-25-000203

In re Interest of Mia C.

Appellant's Brief Date Extended

Record preparation date having been extended to June 13, 2025,  
Appellant's brief date extended to July 14, 2025.

A-25-000211

State v. Dennis O Nyagesuka

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-25-000223

State v. David L Montoya

ROD APPT Default Notice

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

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: June 5, 2025

Page:

3

A-25-000224

State v. David L Montoya

ROD APPT Default Notice

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

A-25-000230

State v. Roscoe C Schroeder

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's brief date extended to June 16, 2025. Failure to file brief by said date subjects appeal to dismissal without further notice due to brief being in default. Further default notice and additional time to file brief pursuant to Neb. Ct. R. App. P. § 2-110(A) shall not apply.

A-25-000231

State v. Roscoe C Schroeder

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's brief date extended to June 16, 2025. Failure to file brief by said date subjects appeal to dismissal without further notice due to brief being in default. Further default notice and additional time to file brief pursuant to Neb. Ct. R. App. P. § 2-110(A) shall not apply.

A-25-000288

State v. Xander J Tamblyn

Ruling reserved re Brief Extension

Appellant's motion to extend brief date fails to set forth any showing of exceptional cause as required for advanced cases pursuant to Neb. Ct. R. App. P. § 2-106(E)(3) & Neb. Ct. R. App. P. § 2-111(B)(2); motion held under advisement pending a showing of exceptional cause within three days of this order, after which time the motion shall be reconsidered.

A-25-000359

State v. Manuel Canil Tol

Order to Show Cause re Late Praecept BOE

Motion of Appellant for leave to request bill of exceptions out of time sustained. Request filed in the trial court on May 13, 2025, accepted.

A-25-000370

State v. Jeramy M Elrod

Motion to Withdraw Murphy for Appellant

Motion to withdraw sustained; Jerad A. Murphy allowed to withdraw as counsel for Appellant.

A-25-000372

Volmer v. Volmer

Motion Appt for Late Payment for BOE

Motion sustained; Appellant granted leave to pay for bill of exceptions out of time. Payment made on May 28, 2025, accepted. Preparation of bill of exceptions may proceed.

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: June 5, 2025

Page:

4

A-25-000374

Npimnee v. Piccolo

Motion Appt Leave File Supp Praecipes

Motion of Appellant to file praecipe for supplemental bill of exceptions out of time sustained. Appellant shall file their praecipe on or before June 20, 2025. Leave to request supplemental transcript overruled as moot. See Neb. Ct. R. App. P. § 2-104(C).

A-25-000397

State v. Mariah R Sanchez

Mot Appt to Req Supp Bill of Exceptions

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

A-25-000398

State v. Mariah R Sanchez

Mot Appt to Req Supp Bill of Exceptions

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

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000384

State v. Vicencio I Gonzalez Perez

Order to Show Cause re Late Praecipe BOE

A-25-000391

State v. Joshua S Fish

Order Show Cause re Amended Praecipe BOE

Supreme Court of Nebraska  
Office of the Clerk

Minutes: June 5, 2025

Page:

1

S-24-000964

White v. White

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.