

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000452

Penate v. Penate

Motion Appellant for Attorney Fees

Appellee's motion for attorney fees summarily overruled. Appellee's motion makes no citation to the law or uniform course of practice that supports allowance of attorney fees. See Neb. Ct. R. App. P.

§ 2-106(G) (1).

A-23-000968

State v. Norman J Haley Jr.

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained; judgment affirmed. See order.

A-23-000968

State v. Norman J Haley Jr.

Motion of Appe for Leave Amend Sum Affir

Appellee's motion for leave to file an amended motion for summary affirmance overruled as moot.

A-23-001024

Czarnick v. Ried

Mot Appe Summary Dismissal/Affirmance

Appellee's motion for summary disposition is overruled. Appellee's brief is due within 14 days of this order.

A-24-000072

Lethcoe v. Lethcoe

Appellee's Replacement Brief Due

Appellee's brief filed July 3, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103 regarding formatting of a brief, and 2-109 regarding the required contents of a brief. Clerk's office to provide Appellee with a sample brief for reference. Appellee's replacement brief complying with the above-referenced rules is due on or before July 26, 2024.

A-24-000121

State v. Jahhrasta S Fletcher

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B) (2) is sustained; judgment affirmed. Appellant's sentences are within the statutory ranges and there was no abuse of discretion by the trial court. See State v. Price, 306 Neb. 38, 944 N.W.2d 279 (2020) (sentence not abuse of discretion when nothing indicates sentencing court considered inappropriate factors or ignored mitigating factors).

A-24-000177

State v. Juan G Martinez

Motion 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.

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A-24-000212

Bush v. Tony's Crew, Inc

Appellant's Replacement Brief Due

Appellant's brief filed July 5, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103 regarding formatting of a brief, and 2-109 regarding the required contents of a brief. Clerk's office to provide Appellant with a sample brief for reference. Appellant's replacement brief complying with the above-referenced rules is due on or before July 26, 2024.

A-24-000259

State v. Jeremy D Burlison

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is sustained; judgment affirmed. Appellant's sentence is within the statutory range and there was no abuse of discretion by the trial court. See State v. Price, 306 Neb. 38, 944 N.W.2d 279 (2020) (sentence not abuse of discretion when nothing indicates sentencing court considered inappropriate factors or ignored mitigating factors).

A-24-000274

Goldsberry v. Valmont Industries, Inc.

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief date extended to August 5, 2024.

A-24-000303

Hillyer v. Hillyer

Motion Appellee for Summary Dismissal

Appellee's motion for summary dismissal is overruled. The Appellant's April 22, 2024 notice of appeal was timely filed from the decree entered on March 25, 2024. See Neb. Rev. Stat § 25-1912(1)(Cum. Supp. 2022).

A-24-000308

State v. Trevor S Zellers

Appellant's Replacement Brief Due

Appellant's brief filed July 7, 2024, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(4) regarding the contents of a certificate of compliance and 2-109(D)(1)(g) regarding the annotation to the record for each and every statement of facts. Appellant's replacement brief complying with the above-referenced rules is due on or before July 26, 2024.

A-24-000330

State v. Deron D Gatus

Motion 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-24-000448

State v. Jeremy J Heiderman

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By order of the Court BOE Prep Date

By order of the Court; time for preparation for bill of exceptions
re-established to July 29, 2024.

A-24-000448

State v. Jeremy J Heiderman

Brief date Re-Established

Record preparation date having been re-established to August 28, 2024
Appellant's brief date extended to August 28, 2024.

A-24-000449

State v. Christopher Ward

By order of the Court BOE Prep Date

By order of the Court, time for preparation of bill of exceptions
re-established to July 29, 2024

A-24-000449

State v. Christopher Ward

Brief date Re-Established

Record preparation date having be re-established to July 29, 2024,
Appellant's brief date extended to August 28, 2024.

A-24-000460

State v. Jamarío James

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's
poverty affidavit, filed in lieu of the statutory docket fee, was not
filed within 30 days of the district court's May 2, 2024, sentencing
order, as required by Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2022).

A-24-000460

State v. Jamarío James

Motion to Compel the District Court

Appellant's motion to compel overruled as moot.

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S-23-000330

Dzingle v. Krcilek

ROD Submission to Court

Affirmed. Per Curiam. Funke, Justice, participating on briefs.

S-23-000597

City of Hastings v. Sheets

ROD Submission to Court

Affirmed in part, and in part reversed and remanded with directions to dismiss. Heavican, Chief Justice.

S-23-000666

Tegra Corporation v. Boeshart

ROD Submission to Court

Affirmed in part, and in part reversed and remanded for further proceedings. Papik, Justice. Heavican, Chief Justice, not participating.

S-23-000974

State v. Daniel Dejaynes-Beaman

ROD Submission to Court

Affirmed. Papik, Justice. Miller-Lerman, Justice, participating on briefs.