

Court of Appeals of Nebraska  
Office of the Clerk

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A-23-000255

State v. Darweesh S Qasim  
Motion of Appellant for Rehearing  
Motion of Appellant for rehearing overruled.

A-23-000672

State v. James E Shade III  
Motion Appellee Continue Oral Argument  
Motion of Appellee to continue oral argument overruled as moot.

A-23-000672

State v. James E Shade III  
September Early Case Review  
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-23-000860

Marousek obo Vivianne M. v. Nebraska Pediatric Practice Inc.  
Motion Appes #8 & #9 Extend Brief Date  
Motion considered; brief of Appellees State of Nebraska Department of Insurance and State of Nebraska Excess Liability Fund filed on July 24, 2024, accepted as filed.

A-23-000860

Marousek obo Vivianne M. v. Nebraska Pediatric Practice Inc.  
Stipulated Mot to Extend Appe Brief Date  
Stipulated motion considered; subject Appellees' FINAL brief date extended to July 31, 2024.

A-24-000073

In re Interest of Skyanna T.  
Motion of Appellee to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to August 21, 2024.

A-24-000074

In re Interest of Benjamin G.  
Motion of Appellee to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to August 21, 2024.

A-24-000091

State v. Jaron Dean  
Mot Appellee for Order re Appt Counsel  
Motion of Appellee for order regarding appointment of counsel sustained. Trial court directed to rule upon motion for appointment of counsel previously filed in the trial court and/or to notify the Clerk of the Supreme Court of such ruling within 14 days of this order.

A-24-000114

McKoy v. US Bank NA  
Motion Appellant for Various Relief

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Motion of Appellant overruled without prejudice to pursuing appellate rules for amending a bill of exceptions if Appellant believes the bill of exceptions was not accurately prepared, or by supplementing the transcript of pleadings. Appellant is denied leave to request bill of exceptions out-of-time with briefs having been filed, including Appellant's reply brief filed July 23, 2024.

A-24-000124

In re Guardian/Conservatorship of Rex G.

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL brief date extended to July 29, 2024.

A-24-000125

In re Guardian/Conservatorship of Aria G.

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL brief date extended to July 29, 2024.

A-24-000127

Evens v. Evens

Motion Appellee to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellant's FINAL Brief date extended to August 22, 2024. No further extensions will be allowed.

A-24-000165

State v. Jess W McConnell

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled. Clerk's office to issue default notice accordingly.

A-24-000174

State v. Paul D Bershon

Motion Appellee to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellee's FINAL Brief date extended to August 21, 2024. No further extensions will be allowed.

A-24-000220

Larson v. Larson

Motion of Appellant to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellant's FINAL Brief date extended to August 5, 2024.

A-24-000226

State v. Lawrence O Bolden

Motion Appellee to Extend Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, Appellee's FINAL Brief date extended to August 21, 2024. No further extensions will be allowed.

A-24-000256

In re Interest of Triton B.

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Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief date extended to August 14, 2024.

A-24-000257

In re Interest of Hazelynn B.

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief date extended to August 14, 2024.

A-24-000260

State v. Puoch T Puoch

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-24-000261

State v. Puoch T Puoch

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-24-000270

State v. David L Hickman Jr

Motion Appellant to Extend Brief Date

Motion considered; Appellant's FINAL brief is due on or before August 26, 2024; however, because default notice has previously been issued, failure to file brief on or before its due date will result in dismissal of appeal without further notice from the Court.

A-24-000273

Boone River LLC v. Miles

Motion Appellant to Extend Brief Date

Motion considered; Appellant's FINAL brief date extended to August 14, 2024.

A-24-000274

Goldsberry v. Valmont Industries, Inc.

ROD Joint Motion to Dismiss Appeal

Stipulation allowed; appeal dismissed; mandate to issue accordingly forthwith.

A-24-000309

Lear v. Nebraska Methodist Health System, Inc.

Request to Extend Bill Exceptions

Request for extension sustained; bill of exceptions filed July 23, 2024, accepted as filed.

A-24-000337

State v. Antonio Collier

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentence imposed was not an abuse of discretion. See State v. Alkazahy, 314 Neb. 406, 990 N.W.2d 740 (2023)

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(sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court); State v. Wills, 285 Neb. 260, 826 N.W.2d 581 (2013) (it is within discretion of trial court whether to impose probation or incarceration and appellate court will uphold court's decision denying probation absent abuse of discretion).

A-24-000409

Bajjuri v. Karney

Ruling reserved re Brief Date Extension

Motion of Appellees for extension of brief date held under advisement.

Counsel shall supplement their motion to show good cause for the extension as required by Neb. Ct. R. App. P. § 2-106(E) within seven days of this order.

A-24-000411

State v. Shaun Turner

Motion of Appellant to Extend Brief Date

Motion considered; Appellant's brief filed July 25, 2024, accepted as filed.

A-24-000425

State v. Ian R Toegan

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 26, 2024.

A-24-000504

State v. Brent P Lopez

Mot Preble to Withdraw as Appt Counsel

Motion of attorney Trevin Preble to withdraw as counsel for Appellant is sustained.

A-24-000522

State v. Kyle L Rupp

Motion to Withdraw Huber

Motion of attorney Justin C. Huber to withdraw as counsel for Appellant sustained.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000520

Cosey v. Department of Correctional Services

Order to Show Cause re Praeceptum for BOE

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S-23-000822

Sedighi v. Schnackel Engineers Inc

Motion Appellant to Appear via Zoom

Motion of Appellant to appear via video-conferencing sustained.

Clerk's office to make arrangements with Appellant.

S-24-000168

State v. Ryan D Rivera-Meister

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.