

Court of Appeals of Nebraska  
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A-25-000073

State v. Maison King

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences imposed did not constitute an abuse of discretion. See State v. Jones, 318 Neb. 840, 19 N.W.3d 499 (2025) (absent abuse of discretion by trial court, appellate court will not disturb sentence imposed within statutory limits). See also State v. Cerritos-Valdez, 295 Neb. 563, 889 N.W.2d 605 (2017) (whether probation or incarceration is ordered is choice within discretion of trial court, whose judgment denying probation will be upheld in absence of abuse of discretion).

A-25-000325

Nerud v. Schuler

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-25-000453

Dean v. McArthur

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). In reviewing the denial of a motion to vacate, the basis of the motion must be considered. Huntington Group v. J-Ton Contractors, 31 Neb. App. 287, 979 N.W.2d 143 (2022) (citing Green v. Seiffert, 304 Neb. 212, 933 N.W.2d 590 (2019)). When such a motion does not introduce an "intervening new matter" and instead merely contends that the initial order dismissing the case was erroneous, the appeal of an order denying that motion is untimely if not filed within 30 days of the order initially dismissing the matter. The general rule is that a party can move the court to vacate or modify a final order, but if the court does not grant the motion, a notice of appeal must be filed within 30 days of the entry of the earlier final order if the party intends to appeal it. See Bryson L. v. Izabella L., 302 Neb. 145, 921 N.W.2d 829 (2019).

A-25-000472

Npimnee v. Jeffreys

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to September 3, 2025.

A-25-000489

State v. Teethloach Biel

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's June 27, 2025, notice of appeal was not filed within 30 days after the entry of the sentencing order on May 27, 2025. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

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S-24-000295

State v. Rickey R Cartwright

ROD Petition of Appellee for Further Review

Petition of Appellee for further review granted; case to appear on the next proposed call of the Nebraska Supreme Court, to occur on November 4, 5, and 6, 2025. Further briefing pursuant to Neb. Ct. R. App. P. § 2-102(H) left to the discretion of the parties.

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A-25-000008

State v. Emmitt J Miller

Motion to Withdraw Sullivan for Appt

Motion of Timothy P. Sullivan overruled without prejudice to the filing of the motion in district court following issuance of the mandate. (CORRECTED ENTRY)

A-25-000296

State v. Eugene A Harris

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-25-000377

State v. Brian K Ising

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to August 8, 2025.

A-25-000423

In re Interest of Mathias W.

ROD

Order to Show Cause re Jurisdiction

No response having been filed to the Order to Show Cause entered by this Court on June 16, 2025, the Order of the Separate Juvenile Court of Lancaster County, entered on May 8, 2025, is affirmed. See, Neb. Ct. R. App. P. § 2-101(B)(1)(b); Neb. Ct. R. App. P. § 2-107(A)(2).