

Court of Appeals of Nebraska
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A-23-000487

State v. Roger L Marsh

ROD Petition of Appellant for Further Review
Petition of Appellant for further review denied.

A-23-000840

Murtaugh v. Sabatka-Rine

Motion Appt Extension Brief in Support
Motion of Appellant to extend time to file brief in support of motion
for rehearing sustained. Brief in support shall be due on or before
September 5, 2024.

A-23-000865

State v. Ademir Estrada-Pena

Motion Appt Extend Time File Resp to S/A
Motion of Appellant for extension of time to file response to motion
for summary affirmance sustained; Appellant shall file their response
within seven days of the date of this order.

A-24-000068

In re Estate of Weeder

Mot. of Appellee for Summary Affirmance
Motion of Appellee for summary affirmance overruled. Case to proceed.

A-24-000124

In re Guardian/Conservatorship of Rex G.

ROD Motion Appellants to Dismiss Appeal
Motion of Appellant to dismiss appeal sustained; appeal dismissed;
mandate to issue accordingly.

A-24-000125

In re Guardian/Conservatorship of Aria G.

ROD Motion Appellants to Dismiss Appeal
Motion of Appellant to dismiss appeal sustained; appeal dismissed;
mandate to issue accordingly.

A-24-000143

WRK, LLC v. Wiegert

Motion Appellee to Extend Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's FINAL brief
date extended to September 23, 2024.

A-24-000144

Deckard v. Cotton

Motion to Extend Reply Brief Date
Motion sustained; Appellant's reply brief date extended to August 26,
2024.

A-24-000188

State v. Daion J Williams

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-24-000233

State v. Rashad Washington

Motion Appellant to Extend Brief Date

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

A-24-000234

State v. Rashad Washington

Motion Appellant to Extend Brief Date

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

A-24-000265

Magett v. CHI Health Immanuel Medical Center

Motion Appt to Compel the District Court

Appellant's motion to compel overruled.

A-24-000296

State v. Charmayne R Strong

Motion Appellant to Extend Brief Date

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

A-24-000300

McCroy v. Nebraska Department of Correctional Services

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as case was dismissed on August 13, 2024.

A-24-000301

McCroy v Nebraska Department of Correctional Services

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as case was dismissed on August 13, 2024.

A-24-000304

In re Interest of Draygon W.

Mot Appe State Ext & Consolidate Briefs

Motion considered; Appellee State's brief shall be due 30 days after the filing of an Appellee brief that may contain a cross-appeal. Any reply brief shall be due 10 days after the filing of Appellee State's brief.

A-24-000313

State v. Gary R Winchel

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-24-000314

State v. Gary R Winchel

Motion Appellee to Extend Brief Date

Motion considered; Appellee's FINAL brief date extended to 14 days

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after court's ruling on Appellee's motion for summary affirmance.

A-24-000315

State v. Gary R Winchel

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-24-000352

State v. Massey L Allen Jr

ROD APPT Default Notice

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

A-24-000403

State v. Robert J Trejo Jr

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-24-000404

In re Estate of Warner

Motion of Appellant to Extend Brief Date

Motion considered; Appellant's FINAL brief date extended to September 13, 2024. Failure to file brief by said date will result in dismissal of appeal without further notice from the Court as default notice has been previously issued.

A-24-000423

State v. Bradley J Garcia

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Morton, 310 Neb. 355, 966 N.W.2d 57 (2021) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-24-000432

Williams v. Nebraska Department of Correctional Services

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 September 20, 2024. No further extensions will be allowed.

A-24-000434

State v. Donald D Sullivan

Motion Appellant to Consolidate

Motion sustained; cases A-24-0434 and A-24-0436 are consolidated for briefing and disposition.

A-24-000436

State v. Donald D Sullivan

Motion Appellant to Consolidate

Motion sustained; cases A-24-0434 and A-24-0436 are consolidated for briefing and disposition.

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A-24-000457

State v. Little Bear B Lucero

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-24-000504

State v. Brent P Lopez

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to August 30, 2024.

A-24-000504

State v. Brent P Lopez

Appellant's Brief date extended

By order of the Court, record preparation date having been extended to August 30, 2024, Appellant's brief date extended to September 30, 2024.

A-24-000519

In re Interest of Gabriel S.

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to October 14, 2024.

A-24-000519

In re Interest of Gabriel S.

Appellant's Brief date extended

By order of the Court, record preparation date having been extended to October 14, 2024, Appellant's brief date extended to November 13, 2024.

A-24-000524

State v. Jessica J Snyder

Ruling reserved re Motion to Withdraw

Motion to withdraw as counsel by attorney Rodney Smith considered and held under advisement. Attorney Smith directed to file for withdrawal as counsel, and if appropriate, for appointment of replacement counsel, with the trial court. Upon supplementation of appellate record showing trial court order ruling on Attorney Smith's motion to withdraw as counsel, Attorney Smith's motion to withdraw as counsel filed in this court will be reconsidered. Motion will be overruled without further notice if appellate record is not supplemented as indicated within 14 days.

A-24-000557

State v. Paul Wagner

Order to Show Cause re: Late BOE Payment

Cause shown; Appellant granted leave to make payment for bill of exceptions out-of-time.

A-24-000580

Whipple v. Johnson

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Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to October 3, 2024.

A-24-000580

Whipple v. Johnson

Appellant's Brief date extended

By order of the Court, record preparation date having been extended to October 4, 2024, Appellant's brief date extended to November 4, 2024.

A-24-000606

State obo Aivalynn W. v. Austin W.

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). A motion to alter or amend judgment was filed on July 26, 2024, and no decision on said motion is contained in the record. When a motion terminating the 30-day appeal period is filed, a notice of appeal filed before the court announces its decision upon the terminating motion has no effect and an appellate court acquires no jurisdiction. State v. Bellamy, 264 Neb. 784, 652 N.W.2d 86 (2002).

A-24-000609

State v. Christopher M McIlheran

Motion to Withdraw Elliott for Appellant

Motion of attorney Shawn Elliott to withdraw as counsel for Appellant sustained.

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S-23-000520

State ex rel. Counsel for Discipline v. Miller

Judgment for Costs

Judgment for costs. See order.

S-24-000385

State v. Wesley A Mead

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained; see Neb. Ct. R.

App. P. § 2-107(B)(2).