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A-23-000973

State v. Jonathan L Province

Mot. Appt Extend Time to File PFR Brief

Motion of Appellant to extend date for brief in support of petition for further review overruled. See Neb. Ct. R. App. P. § 2-102(F)(1).

A-24-000091

State v. Jaron Dean

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 October 16, 2024.

A-24-000165

State v. Jess W McConnell

Motion Appt to Extend Reply Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL reply brief date extended to September 18, 2024.

A-24-000165

State v. Jess W McConnell

Motion Appt to Extend Reply Brief Date

Second or subsequent motion to extend brief date considered. By order of the Court, FINAL reply brief date extended to September 18, 2024.

A-24-000199

State v. Peh B Lu

Motion Appellant to Recall Mandate

Appellant's motion to stay or recall the mandate issued by this court on August 26, 2024, is overruled. See, Neb. Ct. R. App. P. § 2-114(2) and (3); State v. Kinser, 256 Neb. 56, 588 N.W.2d 794 (1999) (district court first took action on mandate by spreading it on record, thus reacquiring jurisdiction; district court and appellate court cannot have jurisdiction simultaneously).

A-24-000203

Ramirez v. Magana

Ruling reserved re Appt Mot Ext Brf Date

Motion of appellee to extend brief date held under advisement.

Appellee is provided 7 days to supplement the motion to show exceptional cause for said extension as provided by rule. See Neb. Ct. R. App. § 2-106(E)(3).

A-24-000230

State v. Sunday Mat Wur

Motion Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to October 11, 2024.

A-24-000271

State v. Alejandro Garcia Prado

OSC re Late Request for BOE

Appellant granted leave to request BOE out-of-time with supplemental

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request to provide specificity as required by Neb. Ct. R. App. §2-105 (B)(2)(b) and subject to appellant filing such supplemental request within 7 days of this order.

A-24-000282

Kilroy v. Kuldip Singh-Cheema Investment

Motion to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's FINAL brief date extended to October 21, 2024. By order of the Court, Appellant is instructed to provide another copy of Appellant's brief to Appellee.

A-24-000309

Lear v. Nebraska Methodist Health System, Inc.

Motion Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as moot. Brief filed on September 18, 2024, accepted as filed.

A-24-000353

Gray v. Jeffreys

ROD Petition of Appellant for Further Review

Petition of Appellant for further review denied.

A-24-000354

State v. Perry F Hines

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 October 16, 2024. No further extensions will be allowed.

A-24-000392

Lucas v. Wraggs

Motion Appellant to Extend Brief Date

Second or subsequent motion to extend Appellant's replacement brief date considered. By order of the Court, appellant's motion sustained in part. Appellant's replacement brief date extended to October 2, 2024. No further extensions will be allowed.

A-24-000402

State v. John G Strawn

Ruling Reserved re Mot to Ext Brf Date

Motion of Appellant to Extend Brief Date taken under advisement.

Counsel is provided 7 days to supplement motion to show exceptional cause for extension as required by Neb. Ct. R. App. P. §2-106(E)(3).

A-24-000428

Koch v. Koch

Petition to Bypass Court of Appeals (CQ)

Appellant's petition to bypass overruled as moot.

A-24-000431

Herrera de Gonzalez v. Ramos

Motion to Extend Brief Date

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

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date extended to October 23, 2024.

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A-24-000444

State v. Byron D Dew

Motion 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 30, 2024. No further extensions will be allowed, and because default notice has previously been issued, failure to file brief on or before the extended due date will result in dismissal of appeal without further notice from court.

A-24-000452

Gray v. Edwards

ROD APPT Default Notice

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

A-24-000470

State v. Jamarío James

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-24-000473

State v. Mariah L Williams

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 district court took the appropriate factors into consideration when sentencing appellant. The court adequately stated its reasoning for the sentence of incarceration in open court, on the record, as required by Neb. Rev. Stat. § 29 2204.02(3) (Reissue 2016). See State v. Baxter, 295 Neb. 496, 888 N.W.2d 726 (2017). Sentence imposed did not constitute an abuse of discretion. A sentence imposed within the statutory limits will not be disturbed on appeal in the absence of an abuse of discretion by the trial court. State v. Horne, 315 Neb. 766, 1 N.W.3d 457 (2024).

A-24-000474

State v. Aaron F Damratowski

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is granted. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences imposed did not constitute an abuse of discretion. An appellate court will not disturb a sentence imposed within the statutory limits absent an abuse of discretion by the trial court. State v. Morton, 310 Neb. 355, 966 N.W.2d 57 (2021).

A-24-000475

State v. Lorenzo Washington

Motion Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's FINAL brief date extended to October 16, 2024.

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A-24-000488

James v. Jeffreys

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-24-000496

Covington v. Covington

Motion to Withdraw & Extend Brief Date

Motion of Michael W. Milone, Karisa Dee Johnson, Lindsay R Belmont to withdraw sustained; Michael W. Milone, Karisa Dee Johnson, Lindsay R Belmont allowed to withdraw as counsel for Appellant. Appellant's first motion to extend brief date considered. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's/Appellee's FINAL brief date extended to November 4, 2024.

A-24-000509

Ramos v. Herrera

Motion to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief date extended to October 23, 2024.

A-24-000512

Scott v. Fricke-Scott

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to September 20, 2024.

A-24-000512

Scott v. Fricke-Scott

Appellant's Brief Date Re-Established

Record preparation date having been re-established to September 20, 2024, Appellant's brief date extended to October 21, 2024.

A-24-000526

Cottonwood Flats, Inc. v. Hohenstein

Request to Extend Bill Exceptions

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

A-24-000526

Cottonwood Flats, Inc. v. Hohenstein

Appellant's Brief Date Re-Established

Record preparation date having been re-established to October 3, 2024, Appellant's brief date extended to November 4, 2024.

A-24-000535

State v. Carlos A Cabezas

ROD

APPT Default Notice

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

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A-24-000550

State v. Christopher S Billie

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-24-000561

State v. Kimberly S Nelson

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-24-000580

Whipple v. Johnson

Ruling reserved re Motion to Withdraw

Motion to withdraw as counsel for Appellant filed by attorney Brock Wurl taken under advisement pending compliance with Neb. Ct. R. App. P. § 2-106(F), certifying that a copy of such motion has been sent to the client's last-known address, which address shall be included in the motion, and upon supplementation of the appellate record showing withdrawal was granted in the trial court and, if appropriate, appointment of replacement counsel. Compliance shall be provided within seven days of this notice.

A-24-000582

State v. Olajuwon A Felix

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to October 21, 2024.

A-24-000582

State v. Olajuwon A Felix

Appellant's Brief date extended

Record preparation date having been extended to October 21, 2024, Appellant's brief date extended to November 20, 2024.

A-24-000625

In re Estate of Meyers

Motion Appt Consolidate 24-0625/0626

Motion of appellant to consolidate cases sustained; cases 24-0625 and 24-0626 consolidated for briefing and disposition.

A-24-000626

In re Estate of Meyers

Motion Appt Consolidate 24-0625/0626

Motion of appellant to consolidate cases sustained; cases 24-0626 and 24-0625 consolidated for briefing and disposition.

A-24-000636

State v. Tina M Sanchez

OSC re Late Supplemental BOE request

Appellant granted leave to file praecipe for supplemental bill of exceptions out of time.

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A-24-000652

In re Interest of Zachary H.

Order to Show Cause re Late BOE Payment

Cause having been shown, appellant granted leave to make payment of BOE out-of-time.

A-24-000660

Espejo v. Espejo

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellee timely filed a motion to alter or amend the district court's amended decree of August 8, 2024. No ruling has yet been made on that motion. Pursuant to Neb. Rev. Stat. § 25-1912(3) (Cum. Supp. 2022), Appellant's notice of appeal is of no effect.

A-24-000660

Espejo v. Espejo

Motion Appellee to Dismiss Appeal

Motion of Appellee to dismiss appeal overruled as moot.

A-24-000662

In re Interest of Fidencio C.

Mot Appt Leave to File Praecept BOE Late

Motion sustained; appellant granted leave to file praecipe for bill of exceptions out of time.

A-24-000685

State v. Jenna M Herrera

Ruling reserved re Motion to Withdraw

Motion to withdraw as counsel by attorney Huber considered and held under advisement. Attorney Huber 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 Huber's motion to withdraw as counsel, attorney Huber'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 7 days.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000655

Koch v. City of Sargent, Nebraska

Order to Show Cause re Late BOE Request

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S-23-000339

Ricker v. Nebraska Methodist Health System  
Objection & Mot to Strike Supp Brief  
Appellees' objection and motion to strike supplemental brief under  
Neb. Ct. R. App. P. § 2-102(H) overruled.

S-24-000200

State v. Stephen M Pullens  
Motion Appellant to Extend Brief Date  
Motion of Appellant for brief date extension sustained; brief date  
extended to September 23, 2024. No further extension will be granted  
unless supported by exceptional cause.

S-24-000484

State v. Aubrey C Trail  
Motion Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's FINAL brief  
date extended to November 15, 2024.