

Court of Appeals of Nebraska
Office of the Clerk

Minutes: September 6, 2024

Page:

1

A-23-000634

State v. Oscar A Figueroa

Motion Apppe to Continue Oral Argument

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Court of Appeals, to occur on November 19 and 20, 2024.

A-23-000801

In re Interest of Steven V.

Motion Appellee Allow SLS to Argue

Motion of Appellee State to allow senior certified law student Caleb Chmelka to present oral argument sustained.

A-23-000998

Ojeda v. Wanek

By order of the Court re Supp Briefs

This case is currently on the Proposed Call for October, 2024, and is before the court for jurisdiction review. The parties are requested to file supplemental briefs addressing whether the district court order appealed from granting the Appellee's complaint for leave to intervene and denying Appellant's motions to dismiss is a final, appealable order. See, TransCanada Keystone Pipeline, L.P. v. Dunavan, 303 Neb. 872,932 N.W.2d 653 (2019). Each party's brief shall be due no later than September 20, 2024.

A-24-000182

Coe v. Johnson

Case Review re Rule 2-111 Submission

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 October Proposed Call of the Nebraska Court of Appeals.

A-24-000182

Coe v. Johnson

Motion Appellant for Travel Order

Appellant's motion for travel order overruled as moot.

A-24-000182

Coe v. Johnson

Motion of Appellant to Appear In Person

Appellant's motion to appear in person overruled as moot.

A-24-000182

Coe v. Johnson

Motion Appellant for Oral Argument

Appellant's motion for oral argument overruled as moot.

A-24-000361

State v. Rusty D Putnam

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 7, 2024.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: September 6, 2024

Page:

2

A-24-000393

State v. Donacino R Casares Jr

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-24-000466

Gonzalez-Herrera v. Ramos

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 October 9, 2024.

A-24-000521

State v. Cynthia K Strate

ROD Order to Show Cause re Jurisdiction

Appellant's response to this court's order to show cause included a copy of the district court's order entered August 15, 2024, which order confirms that the dog at issue in the contempt proceeding from which this appeal was taken is now in the possession of the Minden Police Department; the appellant has therefore purged himself of the contempt order. When an action an appellant seeks to prevent is completed while an appeal is pending, that completion renders the appeal moot. See Nesbitt v. Frakes, 300 Neb. 1, 911 N.W.2d 598 (2018). As a general rule, a moot case is subject to summary dismissal. Id. As a result of the dismissal of this appeal, appellant's "Motion for Writ of Mandamus" also filed in this court is denied (2/1 vote).

A-24-000601

Lefever v. Nebraska Department of Correctional Services

Motion of Appellant to Extend Brief Date

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

Supreme Court of Nebraska
Office of the Clerk

Minutes: September 6, 2024

Page:

1

S-22-000018

In the Matter of LTD Broadband LLC Application C-5256/NUSF-130
Status Update & Motion to Extend Stay
By order of the Court, proceedings are stayed on joint motion to extend stay pending resolution of the proceeding before the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit). Counsel for Appellant is directed to report to the Court regarding the completion of the D.C. Circuit proceeding and, if the proceeding is not complete by February 14, 2025, to provide an update to the Court regarding the status of the proceeding at that time.

S-22-000587

State v. Kolton J Barnes
ROD Submission to Court
Affirmed. Funke, Justice.

S-23-000402

State v. Judy Jones
ROD Submission to Court
Reversed and remanded for further proceedings. Funke, Justice.
Freudenberg, Justice, not participating.

S-23-000508

State v. Judy K Jones
ROD Submission to Court
Reversed and remanded for further proceedings. Funke, Justice.
Freudenberg, Justice, not participating.

S-24-000653

State ex rel Constance et al. v. Evnen
Mot Admiss Pro Hac Vice - McSherry
Motion for admission of Dana M. McSherry as counsel pro hac vice sustained.

S-24-000653

State ex rel Constance et al. v. Evnen
Mot Admiss Pro Hac Vice Babendreier
Motion for admission of Theresa M. Babendreier as counsel pro hac vice sustained subject to taking the oath consistent with Neb. Rev. Stat. § 24-1002.

Supreme Court of Nebraska
Office of the Clerk

Minutes: September 6, 2024

Page:

1

S-24-000658

State ex rel. Collar v. Evnen

By order of the Court

By order of the Court, leave to commence original action granted;
brief and intervention deadlines set and oral arguments scheduled.
See Order.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

S-24-000658

State ex rel. Collar v. Evnen

Order to Show Cause re Verified Petition