

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: October 7, 2024

Page:

1

A-23-000672

State v. James E Shade III

ROD Petition Appellant for Further Review  
Appellant's petition for further review denied.

A-23-000733

State v. Shekinah N Lightspirit

ROD Petition of Appellant for Further Review  
Pursuant to Neb. Ct. R. § 2-102(E), Appellant's petition for further review is denied.

A-23-000975

State v. Richard A Fredrickson

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 Review Docket Call of the Nebraska Court of Appeals.

A-24-000407

Ramaekers v. Creighton University

Appellant's Replacement Brief Due

By order of the court, the Appellant's brief filed on 9/30/24, does not comply with Neb. Ct. R. App. P. § 2-103(A)(3) regarding the prohibited use of footnotes; Neb. Ct. R. App. P. § 2-103(A)(4) regarding underscoring; Neb. Ct. R. App. P. § 2-103(C)(1) regarding the cover contents including appellate court case caption; Neb. Ct. R. App. P. § 2-103(C)(2) regarding page numbering of the brief; and Neb. Ct. R. App. P. § 2-103(C)(4) regarding Certificate of Compliance and a statement of certification. This replacement order is for the limited purpose of correcting the above deficiencies. Appellant's replacement brief complying with the above-referenced rules is due on or before October 21, 2024.

A-24-000428

Koch v. Koch

ROD Petition for Further Review  
Appellant's petition for further review denied as untimely filed.

A-24-000463

State v. Khamis D Pitiya

ROD Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences 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-24-000467

Clement v. Saunders

Reminder Appt's Replacement Brief Due

By order of the court, the Appellant's brief filed on 10/3/24, does not comply with Neb. Ct. R. App. P. § 2-103(C)(1) regarding the cover

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: October 7, 2024

Page: 2

contents including email address of attorney filing brief; Neb. Ct. R. App. P. § 2-103(A)(3) regarding spacing; and Neb. Ct. R. App. P. § 2-103(C)(4) regarding Certificate of Compliance and a statement of certification. This replacement order is for the limited purpose of correcting the above deficiencies. Appellant's replacement brief complying with the above-referenced rules is due on or before October 21, 2024.

A-24-000476

State v. Ann M Johnson

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The district court took the appropriate factors into consideration when sentencing appellant and the sentence was clearly within statutory limits. 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). The sentence imposed did not constitute an abuse of discretion.

A-24-000527

State v. Mirzad Osmanovic

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-24-000657

In re Guardianship of Koch

Motion of Appellant to Extend Brief Date

Appeal having been dismissed on October 3, 2024, Appellant's motion to extend brief date overruled as moot.

Supreme Court of Nebraska  
Office of the Clerk

Minutes: October 7, 2024

Page:

1

S-23-000866

State v. M.A. Yah

Mot Appt to Ext Brf Support of MFR

Appellant's motion for extension to time to file a brief in support of his motion for rehearing is sustained. Appellant's deadline to file a brief is October 15, 2024.

S-23-000899

Galloway v. Husker Auto Group, LLC

By order of the Court re Media Exhibits

Tendered bill of exceptions considered. Exhibit 3 is not a media exhibit as defined by Neb. Ct. R. App. P. § 2-105.02(D). Court reporter directed to copy files, convert them to PDF format, and include same in a documentary exhibits volume. Replacement volume due by October 21, 2024.

S-23-000944

Galloway v. Husker Auto Group LLC

By order of the Court re Media Exhibits

Tendered bill of exceptions considered. Exhibit 3 is not a media exhibit as defined by Neb. Ct. R. App. P. § 2-105.02(D). Court reporter directed to copy files, convert them to PDF format, and include same in a documentary exhibits volume. Replacement volume due by October 21, 2024.

S-24-000214

State v. Stephen M Pullens

Motion Appellant to Extend Brief Date

Appellant's motion for extension to file brief is sustained and appellant granted an additional 30 days to file brief. FINAL brief due November 22, 2024.

S-24-000711

State v. Danny L Ball

Motion to Withdraw - Soucie for Appt

Gerald L. Soucie's motion to withdraw as counsel for the appellant is sustained.