

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 9, 2024

Page:

1

A-22-000738

State v. Mitchell M Freeman

ROD Submitted to Court without Oral Argument
Affirmed. Welch, Judge. See Memorandum Web Opinion.

A-22-000903

State v. Wilbur L Jackson

ROD Submitted to Court without Oral Argument
Affirmed. Moore, Judge. (P)

A-23-000162

Kramer v. Kramer

ROD Submitted to Court without Oral Argument
Affirmed. Moore, Judge. See Memorandum Web Opinion.

A-23-000323

Cody H. v. Katherine H.

ROD Submitted to Court without Oral Argument
Reversed and remanded with directions. Bishop, Judge. See
Memorandum Web Opinion.

A-23-000337

State v. Patrick E Harris

ROD Submitted to Court without Oral Argument
Affirmed. Arterburn, Judge. See Memorandum Opinion.

A-23-000443

State v. David B McAuliffe

ROD Submission to Ct.re Plea
Affirmed as modified. Moore, Judge. See Memorandum Opinion.

A-23-000457

Tunink v. Continental Fire Sprinkler Co.

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 February Proposed Call of the Nebraska Court of Appeals.

A-23-000460

In re Interest of Analicia K.

ROD Submitted to Court without Oral Argument
Affirmed. Arterburn, Judge. See Memorandum Web Opinion.

A-23-000482

State v. Wayne J Heiliger

ROD Submission to Ct re Plea
Affirmed. Arterburn, Judge. See Memorandum Opinion.

A-23-000483

State v. Wayne J Heiliger

ROD Submission to Ct re Plea
Affirmed. Arterburn, Judge. See Memorandum Opinion.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 9, 2024

Page:

2

A-23-000484

State v. Wayne J Heiliger

ROD Submission to Ct re Plea

Affirmed. Arterburn, Judge. See Memorandum Opinion.

A-23-000485

State v. Wayne J Heiliger

ROD Submission to Ct re Plea

Affirmed. Arterburn, Judge. See Memorandum Opinion.

A-23-000531

In re Interest of Jeremiah C. et al.

ROD Submitted to Court without Oral Argument

Affirmed. Pirtle, Chief Judge. See Memorandum Web Opinion.

A-23-000532

In re Interest of Jeremiah C. et al.

ROD Submitted to Court without Oral Argument

Affirmed. Pirtle, Chief Judge. See Memorandum Web Opinion.

A-23-000533

In re Interest of Jeremiah C. et al.

ROD Submitted to Court without Oral Argument

Affirmed. Pirtle, Chief Judge. See Memorandum Web Opinion.

A-23-000639

Harris v. Sheldon

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to January 24, 2024. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

A-23-000783

State v. Jason Barrow

ROD Motion Appellant to Dismiss Appeal

Motion of Appellant to dismiss appeal sustained; appeal dismissed; mandate to issue accordingly.

A-23-000880

State v. William R Little

Motion Appellant to Extend Brief Date

Appellant's motion for extension of brief date granted in part; Appellant's brief date extended to January 22, 2024. No further extension in this expediated case will be granted without a showing of exceptional cause.

A-23-000897

State v. Jeremy Torres

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to January 26, 2024. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 9, 2024
App. P. § 2-106(E) (3).

Page: 3

A-23-001035

Kumke v. Palu

By order Court Record Prep & Brf Dates

By order of the Court; time for preparation for bill of exceptions
re-established to February 22, 2024.

A-23-001035

Kumke v. Palu

Brief date re-established

Record preparation date having been re-established to February 22,
2024, Appellant's brief date extended to March 18, 2024.

A-23-001051

State v. Anthony J Labrillo

By order Court Record Prep & Brf Dates

By order of the Court; time for preparation for bill of exceptions
re-established to February 26, 2024.

A-23-001051

State v. Anthony J Labrillo

Appellant's Brief date extended

Record preparation date having been re-established to February 26,
2024, Appellant's brief date extended to March 27, 2024.

Supreme Court of Nebraska
Office of the Clerk

Minutes: January 9, 2024

Page:

1

S-22-000097

State v. Justin N Rashad

Motion Appt to Cont Oral Argument Tate

Motion of Appellant to continue oral argument sustained. Case to be placed on the next Call of the Nebraska Supreme Court, to occur on February 6, 7, and 8, 2024. No further continuances will be allowed.

S-23-000062

McKay v. Bartels

Mot Appellant to Continue Oral Argument

Motion of Appellant to continue oral argument overruled.

S-23-000155

Nebraska Journalism Trust v. Nebraska Dept of Environment & Energy

Amicus Replacement Brief Due Goldwater

Amicus curiae brief of The Goldwater Institute filed January 8, 2023, does not comply with Neb. Ct. R. App. P. § 2-103(A)(3) regarding the prohibited use of footnotes. The Goldwater Institute's replacement brief complying with the above-referenced rule is due no later than ten days prior to oral argument.

S-23-000296

A&P II, LLC, et al. v. Lancaster County Board of Equalization

Motion Appe State to Participate in O/A

Because the Lancaster County Board of Equalization did not comply with the service requirement of Neb. Ct. R. App. P. § 2-109(E) for raising the constitutionality of a statute, the Attorney General's motion to participate in oral argument pursuant to § 2-109(E) is denied.

S-23-000296

A&P II, LLC, et al. v. Lancaster County Board of Equalization

Order for Supplemental Briefs. See order

By order of the Court, the parties are ordered to file simultaneous supplemental briefs regarding jurisdiction. Said briefs are due on or before February 1, 2024. See order.

S-23-000649

Parde v. Parde

Motion of Appe to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to February 7, 2024. No further extensions will be allowed except upon a showing of good cause. Neither the stipulation of the parties nor the press of other business constitutes good cause. See Neb. Ct. R. App. P. § 2-106(E)(2). "CORRECTED ENTRY"