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A-23-000201

State v. Steven F Danon

Motion Appt to Expand Brf Word Limit

Motion sustained. Appellant's word count expanded to 17,185 words to include Appellant's brief in chief and any reply brief.

A-23-000295

Long v. Lemunyan

ROD APPT Default Notice

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

A-23-000408

State v. Vincent D Clay

ROD Mot. of Appellee for Summary Affirmance

Appellee's motions for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences imposed in case Nos. A-23-408 and A-23-409 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-23-000409

State v. Vincent D Clay

ROD Mot. of Appellee for Summary Affirmance

Appellee's motions for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences imposed in case Nos. A-23-408 and A-23-409 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-23-000457

Tunink v. Continental Fire Sprinkler Co.

Appe Amend Motion to Substitute Parties

Amended motion of Appellee to substitute parties sustained.

A-23-000488

State v. Erron D Boone

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentences imposed in case Nos. A-23-488 and A-23-489 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-23-000489

State v. Erron D Boone

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentences imposed in case Nos. A-23-488 and A-23-489 did not constitute an abuse of discretion. An appellate court

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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-23-000557

Bayliss v. Clason

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 27, 2023. 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).

A-23-000633

Parnell v. Jeffrey

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). District court properly denied Appellant's writ of habeas corpus where Appellant did not allege, or otherwise show, that the trial court lacked jurisdiction over the offenses, personal jurisdiction over him, or lacked lawful authority to sentence him. See Childs v. Frakes, 312 Neb. 925, 981 N.W.2d 598 (2022) (writ of habeas corpus will not lie to discharge person from sentence of penal servitude where court imposing sentence had jurisdiction of offense, person of the defendant, and sentence was within power of court to impose). Further, the conclusion paragraph of the court's order misidentifying Parnell as "Campbell" was mere typographical error not constituting plain error. State v. Mabior, 314 Neb. 932, 994 N.W.2d 65, 81-944 (2023) (appellate court will find plain error only when miscarriage of justice would otherwise occur).

A-23-000646

State v. Tommie L Williams

Appellant 3rd Motion for PSI

Appellant's third motion for copy of pre-sentence investigation report overruled. District Court denied the motion without an evidentiary hearing and without consideration of the report. Therefore, the report is not on file with the appellate court and not available to be considered in connection with this appeal.

A-23-000663

Slagle v. Steinwart

OSC re: Bill of Exceptions. See order.

Payment for bill of exceptions having been made late without leave of the appellate court to pay out of time, and pursuant to Appellant's failure to respond to this court's order to show cause, appeal shall proceed as if no bill of exceptions was requested. See Neb. Ct. R. App. P. § 2-105(B)(4)(c).

A-23-000690

In re Interest of Alisandra S.

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to December 20, 2023. No further extensions will be

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allowed except upon a showing of exceptional cause. See Neb. Ct. R.
App. P. § 2-106(E) (3).

A-23-000691

In re Interest of Briella S.
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief
date extended to December 20, 2023. No further extensions will be
allowed except upon a showing of exceptional cause. See Neb. Ct. R.
App. P. § 2-106(E) (3).

A-23-000692

In re Interest of Lillianna S.
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief
date extended to December 20, 2023. No further extensions will be
allowed except upon a showing of exceptional cause. See Neb. Ct. R.
App. P. § 2-106(E) (3).

A-23-000708

In re Interest of Sergio L.
Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of
exceptions extended to November 27, 2023.

A-23-000708

In re Interest of Sergio L.
Appellant's Brief date extended
Record preparation date having been extended to November 27, 2023,
Appellant's brief date extended to December 27, 2023.

A-23-000727

Martinez v. Martinez
ROD APPT Default Notice
By order of the Court, appeal dismissed for failure to file briefs;
mandate to issue accordingly.

A-23-000731

State v. Michael L Billie
Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of
exceptions extended to November 27, 2023.

A-23-000731

State v. Michael L Billie
Brief date extended
Record preparation date having been extended to November 27, 2023,
Appellant's brief date extended to December 27, 2023

A-23-000739

In re Interest of Jayceon W.
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief
date extended to January 8, 2024. No further extensions will be

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allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

A-23-000784

State v. Armando Romero-Mijangos

Ruling reserved re Motion-Add Evidence

Appellant's motion to add evidence held under advisement pending supplementation of the motion with a statement of cause for the late request as required pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f). Appellant shall supplement their motion within seven days of the date of this order.

A-23-000788

In re Estate of Schaaf

Mot Appe for Summ Dism or Leave BOE

Motion to dismiss denied. Appellee is granted leave to file a request for supplemental bill of exceptions out of time. Such request to be made on or before November 27, 2023.

A-23-000789

State v. Isaac D Koch

Motion Appt for Rehearing & Brief

Motion of Appellant for rehearing overruled.

A-23-000813

State v. Madisen B Hansen

Mot Appt w/draw req for supp BOE

Motion to withdraw request for supplemental bill of exceptions is sustained.

A-23-000820

James v. Wilhelm-Capps

Motion Appt for Production of Documents

Motion for production of documents fails to comply with record request requirements of Neb. Ct. R. App. P. § 2-105. Motion is denied without prejudice to making a request in the trial court if Appellant believes the record prepared in response to the record requested with the appeal was not accurately prepared.

A-23-000827

State v. Gage M Krasa

Mot Appt Counsel Eppler to Withdraw

Motion sustained; Timothy Eppler allowed to withdraw as counsel for Appellant.

A-23-000838

State v. Ayezayah J Buckhalter

Mot Appt Counsel Noerrlinger to W/Draw

Motion sustained; Timothy Noerrlinger allowed to withdraw as counsel for Appellant.

A-23-000838

State v. Ayezayah J Buckhalter

Mot Appt Counsel Cooney to W/Draw

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Motion sustained; Paul Cooney allowed to withdraw as counsel for Appellant.

A-23-000859

Champaign v. Kilgore

Mot Appt to Pay for BOE out of Time

Motion of Appellant to pay for bill of exceptions out of time sustained. Said payment to be made within three days of the date of this order.

A-23-000867

State v. Robert D Ramey

Ruling reserved re Request for BOE

Motion of Appellant for leave to file request for bill of exceptions out of time held under advisement pending supplementation of the motion to demonstrate good cause for the late request pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f).

A-23-000869

State v. Kendrick K Buford

Motion Appt Counsel Sullivan to Withdraw

Motion sustained; Timothy Sullivan allowed to withdraw as counsel for Appellant.

A-23-000886

State v. Gabriel R Muratella

Mot Appt Counsel Krell to Withdraw

Motion sustained; Chelsie Krell allowed to withdraw as counsel for Appellant.

A-23-000887

State v. Christopher J Gonzales Jr.

Mot Appt Counsel Safarik to Withdraw

Motion sustained; Sarah Safarik allowed to withdraw as counsel for Appellant.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-23-000763

Rushmore Loan Management Services LLC v. Strong

OSC re Jurisdiction. See order.

A-23-000771

Evert v. Srb

OSC re BOE Payment. See order.