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A-22-000887

Williams v. Capps-Wilhelm

Motion Appellant for Summary Affirmance

Motion for summary affirmance overruled for lack of jurisdiction.

A-22-000969

In re Interest of Raynya V.

November Early Case Review

Pursuant to the waivers of oral argument filed by the parties, matter submitted without oral argument. Accordingly, matter removed from the November Proposed Call of the Nebraska Court of Appeals.

A-23-000146

Clemens v. Emme

Motion Appellant to Exceed Word Count

Motion of Appellant to exceed word count sustained; word count expanded up to an additional 4,000 words.

A-23-000277

State v. Glenn E Waltman

Mot Counsel Noerrlinger to Withdraw

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

A-23-000295

Long v. Lemunyan

Mot to Ext Appt Rplcmt Brief Date (FAX)

Motion sustained in part; Appellant's replacement brief due on or before October 27, 2023.

A-23-000390

Wilmington Savings Fund Society FSB v. Jimenez

Suggestion of Bankruptcy Wilmington SFS

By order of the Court, proceedings are stayed until the conclusion of the bankruptcy proceedings or a party makes a showing that relief from the automatic stay has been granted. Counsel, pursuant to Neb. Ct. R. App. P. § 2-111(G)(3) and (4) is directed to inform the Court when the bankruptcy is concluded, relief from the automatic stay is granted, or the claim has been disposed of in the bankruptcy proceedings as well as the effect of the disposition upon the case pending before this Court.

A-23-000393

Hyberger v. Hyberger

Motion Appt to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 2, 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-23-000406

State v. Sondra M Gray

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ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance sustained. See Neb. Ct. R.
App. P. § 2-107(B)(2); State v. Morton, 310 Neb. 355, 966 N.W.2d 57
(2021) (sentence imposed within statutory limits will not be disturbed
on appeal absent abuse of discretion by trial court).

A-23-000408

State v. Vincent D Clay
Motion Appe Consolidate 23-408, 409
Motion sustained. Cases 23-0408 and 23-0409 consolidated for further
briefing and disposition.

A-23-000409

State v. Vincent D Clay
Motion Appe Consolidate 23-408, 409
Motion sustained. Cases 23-0408 and 23-0409 consolidated for further
briefing and disposition.

A-23-000435

State v. Gary L Stokes
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief
date extended to October 5, 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-23-000437

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

A-23-000448

State v. Kimberly J Janousek
Mot Appe Consolidate 23-448/23-449
Motion sustained. Cases 23-0448 and 23-0449 consolidated for further
briefing and disposition.

A-23-000449

State v. Kimberly Janousek
Mot Appe Consolidate 23-448/23-449
Motion sustained. Cases 23-0448 and 23-0449 consolidated for further
briefing and disposition.

A-23-000459

In re Interest of Paislee K.
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief
date extended to October 11, 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-23-000471

State v. Leonard Gonzales

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Ruling reserved motion to withdraw
Motion to withdraw filed by attorney Madelung considered and held under advisement. Attorney Madelung 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 Madelung's motion to withdraw as counsel, attorney Madelung'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 14 days.

A-23-000471

State v. Leonard Gonzales

Motion Appt to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 30, 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-23-000492

State v. Kristie Sebby

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 6, 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-23-000505

State v. Elijah Robinson

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 25, 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-23-000506

State v. Marcus Brown

Motion Withdraw Wetzel as Appt Counsel

Motion sustained; Erin Wetzel allowed to withdraw as counsel for Appellant.

A-23-000512

State v. Jesus Leanos

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 27, 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-23-000529

Holland v. Gibson

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to October 25, 2023.

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A-23-000529

Holland v. Gibson

Appellant's brief date extended

Record preparation date having been extended to October 25, 2023,

Appellant's brief date extended to November 27, 2023.

A-23-000583

Tyler v. Omaha Housing Authority

ROD APPT Default Notice Tyler/Reg/Restricted

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

A-23-000596

State v. Nimrod Torres Aquino

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of
exceptions extended to October 25, 2023.

A-23-000596

State v. Nimrod Torres Aquino

Appellant's brief date extended

Record preparation date having been extended to October 25, 2023,

Appellant's brief date extended to November 27, 2023.

A-23-000647

Northern Natural Gas Company v. Centennial Resource Production LLC

Ord Show Cause-Leave of Court(see order)

Cause having been shown, Appellant granted leave to pay for bill of
exceptions out of time.

A-23-000656

In re Interest of Josslyne D.

Motion Appt Leave File Praecipis

Motion sustained; Appellant granted leave to file praecipe for
bill of exceptions out of time. Such request must be filed within five
days from the date of this order.

A-23-000656

In re Interest of Josslyne D.

By order of the Court Record Prep Date

Appellant having been granted leave to file a praecipe for bill of
exceptions out of time, record preparation date established as
November 21, 2023.

A-23-000656

In re Interest of Josslyne D.

Brief date established

Record preparation date having been established as November 21, 2023,
Appellant's brief date extended to December 21, 2023.

A-23-000702

State v. Steven A Alexander

Motion to Withdraw as Appellant Counsel

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Motion sustained; David Tarrell allowed to withdraw as counsel for Appellant.

A-23-000715

State v. Jeremy M Fulton

By order of the Court Counsel Withdraw

Motion sustained; Justin Huber allowed to withdraw as counsel for Appellant.

A-23-000721

State v. Kristopher P Marcoe

Motion Appt Leave File Request for BOE

Motion sustained; Appellant granted leave to file praecipe for bill of exceptions out of time. Such request must be filed within five days from the date of this order.

A-23-000722

State v. Juan De La Cruz

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2 107(A)(1). The district court's sentencing order was filed on August 8, 2023. Appellant's September 8, 2023, notice of appeal was not timely filed within 30 days. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2022) (notice of appeal must be filed within 30 days after entry of judgment, decree, or final order).

A-23-000726

In re Estate of McCormick

Motion Appt Leave Extend Pymt for BOE

Motion sustained; Appellant granted leave to pay for bill of exceptions out of time.

A-23-000735

State v. Alvaro F Monterroso

Motion Appt Leave File Request Supp BOE

Motion sustained; Appellant granted leave to file praecipe for supplemental bill of exceptions out of time. Such request must be filed within five days from the date of this order.

A-23-000735

State v. Alvaro F Monterroso

By order of Court re Record Prep Date

Motion for leave to file request for bill of exceptions sustained and request for bill of exceptions now having been filed, record preparation date extended to November 16, 2023.

A-23-000735

State v. Alvaro F Monterroso

Appellant's Brief date extended

By order of the Court, record preparation date having been extended to November 16, 2023, Appellant's brief date extended to December 18, 2023.

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A-23-000744

State v. Brandon W Rice

Motion to Withdraw as Appellant Counsel

Motion sustained; David Tarrell allowed to withdraw as counsel for
Appellant.

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S-21-000515

State v. Jeff Boppre

Motion Appt Extend Brief in Support MFR

Motion of Appellant for extension of brief in support of motion for rehearing overruled.

S-23-000130

State v. Donald G Anthony

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to October 27, 2023. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

S-23-000159

State v. Kevin S German

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 23, 2023. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).