

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000516

D&M Roofing and Siding, Inc. v. Distribution, Inc.

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee'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-23-000566

State v. Amanda M Danekas

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 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. Blake, 310 Neb. 769, 969 N.W.2d 399 (2022).

A-23-000580

Leonor v. Sabatka-Rine

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to November 15, 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-23-000590

State v. Boston L Meyer

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-23-000591

State v. Boston L Meyer

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-23-000605

State v. Orion J Ross

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-23-000609

State v. Ryan Crane

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B) (2). Sentence 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. Blake, 310 Neb. 769, 969 N.W.2d 399 (2022).

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A-23-000613

State v. Jered T Badberg

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 26, 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-23-000716

State v. Justin J Bartels

By order of Court re: Record Prep Date

Motion for leave to pay for bill of exceptions sustained and payment for bill of exceptions having been made, record preparation date established as December 1, 2023.

A-23-000716

State v. Justin J Bartels

Appellant's Brief date extended

By order of the Court, record preparation date having been established as December 1, 2023, Appellant's brief date extended to January 2, 2024.

A-23-000770

State v. Brendan Welch

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). Appellant failed to pay filing fee or timely appeal the denial of his request for in forma pauperis status when appealing from the county court to the district court. Where the district court lacks jurisdiction to adjudicate the merits of a claim, so too does the Court of Appeals. See Purdie v. Nebraska Dept. of Corr. Servs., 292 Neb. 524, 872 N.W.2d 895 (2016).

A-23-000770

State v. Brendan Welch

Motion Appt for Appointment of Counsel

Motion of Appellant for appointment of counsel overruled as moot.

A-23-000773

Walker v. Nebraska Department of Labor

ROD Misc Submission to Court - Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant failed to properly serve summons on the Attorney General following the filing of her petitions pursuant to the Administrative Procedure Act. See Neb. Rev. Stat. § 25-510.02 (Reissue 2016). The district court lacked jurisdiction in the matter as does this court. See, e.g., Omaha Expo. & Racing v. Nebraska State Racing Comm., 307 Neb. 172, 949 N.W.2d 183 (2020).

A-23-000774

Walker v. Nebraska Department of Labor

ROD Misc Submission to Court - Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant

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failed to properly serve summons on the Attorney General following the filing of her petitions pursuant to the Administrative Procedure Act. See Neb. Rev. Stat. § 25-510.02 (Reissue 2016). The district court lacked jurisdiction in the matter as does this court. See, e.g., Omaha Expo. & Racing v. Nebraska State Racing Comm., 307 Neb. 172, 949 N.W.2d 183 (2020).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-23-000739

In re Interest of Raynya V.
OSC re Jurisdiction. See order.

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S-22-000195

State ex rel. Counsel for Discipline v. Maxell

ROD Judgment for Costs

Judgment for costs. See order.

S-22-000574

State v. Mabior M Mabior

Motion Appt for Rehearing & Brief

Motion of Appellant for rehearing overruled.

S-22-000888

Fountain II, LLC v. Douglas County Board of Equalization

Disclosure of Chief Justice Heavican

Disclosure of Chief Justice Heavican. See order.

S-23-000058

In re Trust of Lamprecht

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.

S-23-000059

In re Trust of Lamprecht

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.

S-23-000062

McKay v. Bartels

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.