

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 18, 2023

Page:

1

A-19-000121

Page v. Siedband

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 November Review Docket of the Nebraska Court of Appeals.

A-22-000789

State v. Bilal R Amin II

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 November Review Docket of the Nebraska Court of Appeals.

A-22-000789

State v. Bilal R Amin II

Motion Appt for Appointment of Counsel

Motion of Appellant for appointment of counsel overruled as moot.

A-22-000800

Kramer v. Kramer

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 December Proposed Call of the Nebraska Court of Appeals.

A-23-000048

State v. Demond E Williams

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 November Review Docket of the Nebraska Court of Appeals.

A-23-000054

Titus v. Schense

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 November Review Docket of the Nebraska Court of Appeals.

A-23-000054

Titus v. Schense

Motion Appt to Appear via Web Conf

Motion of Appellant to appear via web-conferencing overruled as moot.

A-23-000081

Seeman v. Seeman

Motion to Reinstate Appeal

Appellant's motion to reinstate appeal is overruled.

A-23-000214

In re Estate Davis

Motion Appts to Extend Reply Brief Date

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 18, 2023

Page: 2

Motion sustained, in part; Appellants' reply brief date extended to October 30, 2023.

A-23-000233

State v. Mario Santos

Motion Appellant Expand Word Count

Motion sustained. Appellant's word count expanded to 16,000 words to include Appellant's brief in chief and any reply brief.

A-23-000332

State v. Davion D Snider

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). The sentence imposed was not an abuse of discretion. See State v. Alkazahy, 314 Neb. 406, 990 N.W.2d 740 (2023) (sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court).

A-23-000390

Wilmington Savings Fund Society FSB v. Jimenez

Notice Appeal of Bankruptcy Dismissal

Notice of Bankruptcy dismissal having been filed, stay lifted and case to proceed.

A-23-000390

Wilmington Savings Fund Society FSB v. Jimenez

Appellant's Brief date extended

Bankruptcy stay having been lifted, Appellant's brief due on or before November 17, 2023.

A-23-000395

Meier v. Meier

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 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-23-000471

State v. Leonard Gonzales

Motion to Withdraw Madelung Appellant

Motion sustained; William Madelung allowed to withdraw as counsel for Appellant.

A-23-000471

State v. Leonard Gonzales

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 29, 2023. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

Court of Appeals of Nebraska
Office of the Clerk

Minutes: October 18, 2023

Page:

3

A-23-000544

Neal v. Solorzano

Motion Appt Leave Pay BOE Deposit Late

Motion of Appellant for leave to pay bill of exceptions deposit out of time sustained. Appellant shall pay said deposit within three days of this order.

A-23-000560

State v. Adrian T Cobbs

Motion Appellant 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-23-000610

State v. Charles J Lockhart

ROD

APPT Default Notice

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

A-23-000625

B&K's ExSeptional Ones Academy Inc. v. Health and Human Services

ROD

Mot. of Appellee for Summary Dismissal

Appeal dismissed. Appellee's motion for summary dismissal sustained. See Neb. Ct. R. App. P. § 2-107(A)(1). An appeal from the grant of a motion to stay proceedings pursuant to Neb. Rev. Stat. § 84-917(3) (Cum. Supp. 2022) does not constitute a final, appealable order and can be addressed in an appeal from the district court's final resolution of the case. See, e.g., Miller v. Horton, 253 Neb. 1009, 574 N.W.2d 112 (1998); Clark v. Tyrrell, 16 Neb. App. 692, 750 N.W.2d 364 (2008). See, also e.g., In re Interest of Becka P. et al., 296 Neb. 365, 894 N.W.2d 247 (2017); Ramaekers v. Creighton Univ., 312 Neb. 248, 978 N.W.2d 298 (2022).

A-23-000749

State v. Justin W Spencer

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to November 2, 2023.

A-23-000749

State v. Justin W Spencer

Appellant's Brief date extended

Record preparation date having been extended to November 2, 2023, Appellant's brief date extended to December 4, 2023.

A-23-000772

Jordan v. Jordan

Mot Counsel Luhm & Clark Withdraw APPT

Motion sustained; Nicole Luhm and Coy Clark allowed to withdraw as counsel for Appellant.