

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000230

State v. Roger R Swanson Sr

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to October 23, 2023.

A-23-000294

Fagon v. Dankert

Mot Appellee Counsel to Withdraw

Motion sustained; Bradley Holbrook and Lucas J. Elsbernd allowed to withdraw as counsel for Appellee.

A-23-000398

Vargas v. Vargas

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to December 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-23-000457

Tunink v. Continental Fire Sprinkler Co.

Conditional Order & OSC. See order.

Pursuant to prior conditional orders of the court, the appeal has been revived and the motion to substitute parties has been sustained. Appellee's suggestion of remand is overruled. Appeal to proceed.

A-23-000457

Tunink v. Continental Fire Sprinkler Co.

Conditional Order & OSC. See order.

Pursuant to prior conditional orders of the court, the appeal has been revived and the motion to substitute parties has been sustained. Appellee's suggestion of remand is overruled. Appeal to proceed.

A-23-000610

State v. Charles J Lockhart

Motion Appt to Ext Brf Date w/attach

Motion of Appellant to extend brief date is overruled as appeal has been dismissed for failing to file a timely brief or request an extension prior to the due date as reflected in the default notice.

A-23-000646

State v. Tommie L Williams

Appt 2nd Mot for PSI & Brf Extension

Motion considered. By order of the Court, Appellant's FINAL brief date extended to December 4, 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-23-000646

State v. Tommie L Williams

Motion Appt for Updated Pre-Sentence

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Motion of Appellant seeking pre-sentence investigation is overruled without prejudice to seeking the report from the trial court. Pre-sentence investigation is not in the possession of the Clerk.

A-23-000681

Community Care Health Plan of Nebraska v. Jackson
Motion Appellee to Expedite Appeal
Motion of Appellee to expedite appeal sustained.

A-23-000681

Community Care Health Plan of Nebraska v. Jackson
Briefs Dates Re-established
Case having been expedited, Appellant's brief due on or before November 17, 2023. Appellee brief due on or before December 1, 2023 and reply brief if any, due on or before December 11, 2023.

A-23-000752

In re Guardianship of Timothy M.

ROD

Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). The orders appointing the guardian/conservator do not take effect until the issuance of letters of guardianship and conservatorship upon the fulfillment of the county court's stated requirements. The orders do not yet affect Appellant's substantial rights. See Neb. Rev. Stat. § 25-1902 (Cum. Supp. 2022). See also In re Guardianship & Conservatorship of Hunt, No. 16-1044, 2017 WL 4791103 (Neb. App. Oct. 24, 2017) (selected for posting to court website).

A-23-000776

State v. Christopher L Klipfel

Mot to Pay for BOE Out Of Time
Motion sustained; Appellant granted leave to pay for bill of exceptions out of time. Payment to be made on or before October 30, 2023.

A-23-000823

State v. Shaquille J Falcon

Mot Appt Counsel Noerrlinger to W/Draw
Motion sustained; Timothy Noerrlinger allowed to withdraw as counsel for Appellant.

A-23-000823

State v. Shaquille J Falcon

Motion Appt Counsel Elliott to Withdraw
Motion sustained; Shawn Elliott allowed to withdraw as counsel for Appellant.

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S-23-000357

Saint James Apartment Partners LLC v. Universal Surety Company

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.