

Court of Appeals of Nebraska  
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A-22-000965

State v. Anthony De Los Santos

ROD Submitted to Court without Oral Argument  
Affirmed. Moore, Judge. See memorandum web opinion.

A-22-000976

State v. Joel A Cerros

ROD Submitted to Court without Oral Argument  
Affirmed. Welch, Judge. See memorandum web opinion.

A-23-000183

Workman v. Hornady Manufacturing Co

ROD Submitted to Court without Oral Argument  
Affirmed. Arterburn, Judge. See memorandum web opinion.

A-23-000207

In re Interest of Abbas H. et al.

ROD Petition Appellant for Further Review  
Petition of Appellant for further review denied.

A-23-000313

In re Interest of Elaina S.

ROD Submitted to Court without Oral Argument  
Affirmed. Arterburn, Judge. See memorandum web opinion.

A-23-000369

State v. Heriberto D Hernandez-Perez

ROD Petition Appellant for Further Review  
Petition of Appellant for further review denied.

A-23-000413

State obo Kylen J. v. Raquan J.

ROD Mot. of Appe for Sum Affirm/Brf Support  
Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. §2-107(B)(2). The district court had jurisdiction over the parties and the action to establish paternity and parental support. See, Neb. Rev. Stat. §43-512 through 43-512.18 (Reissue 2016); Neb. Rev. Stat. §43-1411 (Cum. Supp. 2022).

A-23-000422

State v. Antonea D Cannon

ROD Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is sustained; judgment affirmed. Appellant's sentence is within the statutory range and there was no abuse of discretion by the trial court. See State v. Price, 306 Neb. 38, 944 N.W.2d 279 (2020) (sentence not abuse of discretion when nothing indicates sentencing court considered inappropriate factors or ignored mitigating factors).

A-23-000557

Bayliss v. Clason

OSC re Appt Mot Partial Dism. See order.

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Motion of Appellant for partial dismissal overruled.

A-23-000558

State v. Blaine A Coffey

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-23-000563

Papillion Foods v. Ventura

Mot. of Appellee for Summary Affirmance  
Motion of Appellee for summary affirmance overruled.

A-23-000581

State v. Shane M Moore

Misc. Submission - Juvenile Transfer  
By order of the Court, matter submitted without oral argument pursuant  
to Neb. Ct. R. App. P. § 2-111(B)(1).

A-23-000635

State v. Juan J Godinez

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). In  
Nebraska, a court is not bound by the plea agreement made between a  
defendant and the government. State v. Cooke, 311 Neb. 511, 521, 973  
N.W.2d 658, 666 (2022).

A-23-000637

State v. Travis E Tucker

Appellant's Replacement Brief Due  
Appellant's brief filed November 20, 2023, does not comply with Neb.  
Ct. R. App. P. §§ 2-103(A)(3) regarding margins and spacing and Neb.  
Ct. R. App. P. 2-103(C)(2) regarding page numbering. Appellant's  
replacement brief complying with the above-referenced rules due on or  
before December 5, 2023.

A-23-000698

State v. Alijah D Muldrew

Appellant's Replacement Brief Due  
Appellant's brief filed November 21, 2023, does not comply with Neb.  
Ct. R. App. P. §§ 2-103 regarding, margins, spacing, underscoring,  
page numbering and certificate of compliance. Appellant's brief  
complying with the above-referenced rule is due on or before December  
5, 2023.

A-23-000700

Finch v. Promedcare LLC

Motion Appellant to Extend Brief Date

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Motion considered. By order of the Court, Appellant's FINAL brief date extended to January 8, 2024. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

A-23-000793

In re Estate of Wedergren

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 September 15, 2023, order states that "dueling" summary judgment motions were before it. The order indicates that the Plaintiffs/Appellees sought summary judgment as to Defendant/Appellant's counterclaim for breach of a stock purchase agreement on the basis that it was barred by the statute of limitations. The order further states that Defendant/Appellant's motion for summary judgment alleged there were no genuine issues of material fact relating to the counterclaims for breach of contract and "equitable claims" contained in the amended counterclaim. The court granted Appellees' motion for summary judgment based on Appellant's breach of contract counterclaim being barred by the statute of limitations. The court denied Appellant's motion for summary judgment as to the counterclaims asserting a breach of contract and "equitable" claims. However, no order has yet been entered setting forth a decision as to the specific relief requested in Appellees' amended complaint, and other relief requested by Appellant in his amended counterclaim. Until there is an order specifically addressing all claims for relief by all parties, there is no final, appealable order. See Neb. Rev. Stat. § 25-1315(1) (Reissue 2016) (in cases involving multiple claims or parties, appeal requires explicit adjudication with respect to all claims or parties or, failing such explicit adjudication of all claims or parties, express determination that there is no just reason for delay of appeal of order disposing of less than all claims or parties and express direction for entry of judgment as to those adjudicated claims or parties). See, also, Cattle National Bank & Trust Co. v. Wilson, 293 Neb. 943, 880 N.W.2d 906 (2016); Malolepszy v. State, 270 Neb. 100, 699 N.W.2d 387 (2005). Further, there is no substantial right affected by the September 14, 2023, order denying Appellant's motion to vacate the December 2020 order given the content of the September 15, 2023, order.

A-23-000859

Champaign v. Kilgore

By order of Court re Record Prep Date

Leave to pay for bill of exceptions out of time having been granted and payment made, record preparation date re-established to be January 9, 2024.

A-23-000859

Champaign v. Kilgore

Appellant's Brief date re-established

Bill of exceptions preparation date having been re-established to be January 9, 2024, Appellant's brief date extended to February 8, 2024.

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A-23-000920

State v. Tiffany L Sprey

By order of Court re Record Prep Date

By order of the Court, case having been incorrectly docketed as a  
felony, record preparation date reset to December 4, 2023.

A-23-000920

State v. Tiffany L Sprey

Appellant's Brief date reset

Record preparation date having been reset to December 4, 2023,

Appellant's brief date reset to January 3, 2024.

A-23-000921

State v. Tiffany Sprey

By order of Court re Record Prep Date

By order of the Court, case having been incorrectly docketed as a  
felony, record preparation date reset to December 4, 2023.

A-23-000921

State v. Tiffany Sprey

Appellant's Brief date reset

Record preparation date having been reset to December 4, 2023,

Appellant's brief date reset to January 3, 2024.

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S-23-000234

In re Interest of Ricardo T. et al.

Motion Appt to Req Supp Transcript

Appellant's motion for leave to request a supplemental transcript is sustained.

S-23-000236

In re Interest of Ricardo T. et al.

Motion Appt to Req Supp Transcript

Appellant's motion for leave to request a supplemental transcript is sustained.

S-23-000237

In re Interest of Ricardo T. et al.

Motion Appt to Req Supp Transcript

Appellant's motion for leave to request a supplemental transcript is sustained.

S-23-000238

In re Interest of Ricardo T. et al.

Motion Appt to Req Supp Transcript

Appellant's motion for leave to request a supplemental transcript is sustained.