

Court of Appeals of Nebraska  
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A-23-000299

Tyler v. Schmaderer

ROD

Case Review re: Submission under 2-107  
Affirmed. See Neb. Ct. R. App. P. § 2-107(A)(2). Appellant's brief fails to comply with Neb. Ct. R. App. P. § 2-109(D)(1). In such a situation where a party's brief fails to comply with § 2-109(D)(1), an appellate court may proceed as though the appellant failed to file a brief or, alternatively, may examine the proceedings for plain error. Steffy v. Steffy, 287 Neb. 529, 843 N.W.2d 655 (2014). Having reviewed the record in this matter for plain error and found none, we affirm the order denying Appellant's application to proceed in forma pauperis.

A-23-000512

State v. Jesus Leanos

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-23-000668

Gray v. Gable

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-23-000714

Wabashaw v. Lewien

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to December 29, 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-23-000736

Adcock v. Adcock

ROD

Misc Submission to Court re Jurisdiction  
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant did not appeal within 30 days from the entry of the September 20, 2023, order denying her informata pauperis status, nor did she pay a docket fee. See, e.g., Mumin v. Frakes, 298 Neb. 381, 904 N.W.2d 667 (2017); Martin v. McGinn, 267 Neb. 931, 678 N.W.2d 737 (2004).

A-23-000830

Adcock v. Adcock

ROD

Misc Submission to Court re Jurisdiction  
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). The record shows that appellant withdrew her request to proceed with her appeal in forma pauperis but did not then refile a notice of appeal and pay a docket fee. The appeal has not been perfected. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2022).

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ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-23-000662

Conley v. Conley

Order Show Cause Record of Hrg/see order

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S-23-000159

State v. Kevin S German

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to December 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-23-000223

Clason v. LOL Investments LLC

Mot Appellee to Continue Oral Argument

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on January 31, February 1, 2, and 3, 2024.

S-23-000568

In re Application for Appointment of Trustee, James A. Widtfeldt

Report of Trustee Collins

Report accepted. Clerk directed to file. Counsel for Discipline directed to contact Trustee regarding matters in report. Next report due on or before May 30, 2024.

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A-23-000559

Bertucci v. Bertucci

Motion Appellant to Extend Brief Date

Motion sustained. Appellant's brief due on or before November 23, 2023.

A-23-000604

In re Interest of Destiny E.

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to December 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-23-000666

Tegra Corporation v. Boeshart

Motion Appt to Exceed Word Limit

Motion sustained in part; Appellant's word limited expanded an additional 5000 words to include Appellant's brief in chief and any reply brief filed by the Appellant.

A-23-000771

Evert v. Srb

OSC re BOE Payment. See order.

Motion sustained. Appellant given until November 14, 2023 to pay for bill of exceptions out of time.

A-23-000777

Mai v. Mai

Ruling reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Nicole Mailahn, taken under advisement pending compliance with Neb. Ct. R. App. P. § 2-106(F), certifying that a copy of such motion has been sent to the client's last-known address, which address shall be included in the motion. Compliance shall be provided to the Court within seven days of this notice.

A-23-000777

Mai v. Mai

Mot Appt Counsel Mitchell to Withdraw

Motion sustained; Michelle Mitchell allowed to withdraw as counsel for Appellant.

A-23-000817

State v. Willie L Sturgis

Mot Appt Counsel file Praecipe Supp BOE

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

A-23-000867

State v. Robert D Ramey

Mot Appt Leave to Req BOE Out of Time

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Motion sustained; Appellant granted leave to request the bill of exceptions out of time.

A-23-000885

Dolton Electric, LLC v. Ichtertz

Mot Appt Pay for BOE Out Of Time

Motion sustained. Appellant given until November 17, 2023 to pay for the bill of exceptions.

A-23-000887

State v. Christopher J Gonzales Jr.

Motion Appt Counsel Helget to Withdraw

Motion sustained; Kelsey Helget allowed to withdraw as counsel for Appellant.

A-23-000898

State v. Carlos Corral

Motion Appt Counsel Wood to Withdraw

Motion sustained; Lucas Wood allowed to withdraw as counsel for Appellant.

A-23-000923

Johnson v. City of Omaha

Mot Appt File Praeipce BOE Out of Time

Motion sustained. Appellant granted leave to request the bill of exceptions out of time to correct error in labels as to what was otherwise timely requested.