

picture. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions.

25-208. Actions for libel, slander, malpractice, and recovery of tax.

The following actions can only be brought within the periods stated in this section: Within one year, an action for libel or slander; and within two years, an action for malpractice which is not otherwise specifically limited by statute.

In the absence of any other shorter applicable statute of limitations, any action for the recovery of any excise or other tax which has been collected under any statute of the State of Nebraska and which has been finally adjudged to be unconstitutional shall be brought within one year after the final decision of the court declaring it to be unconstitutional. This section shall not apply to any action for the recovery of a property tax.

The changes made to this section by Laws 2000, LB 921, shall apply to causes of action accruing on and after July 13, 2000.

Nebraska Search Warrant Law

Neb. Rev. Stat. Section 29-813

29-813. (1) A warrant may be issued under sections 29-812 to 29-821 to search for and seize any property (a) stolen, embezzled, or obtained under false pretenses in violation of the laws of the State of Nebraska, (b) designed or intended for use or which is or has been used as the means of committing a criminal offense, (c) possessed, controlled, designed, or intended for use or which is or has been possessed, controlled, designed, or used in violation of any law of the State of Nebraska making such possession, control, design, or use, or intent to use, a criminal offense, or (d) which constitutes evidence that a criminal offense has been committed or that a particular person has committed a criminal offense.

(2) Notwithstanding subsection (1) of this section, no warrant shall be issued to search any place or seize anything in the possession, custody, or control of any person engaged in procuring, gathering, writing, editing, or disseminating news or other information for distribution to the public through a medium of communication unless probable cause is shown that such person has committed or is committing a criminal offense. For Purposes of this subsection, the terms person, information, and medium of communication shall be defined as provided in section 20-145, Reissue Revised Statutes of Nebraska, 1943.

Procedure for Criminal Actions

Preface

The adversary system, which is central to the administration of criminal justice, is a result of the slow evolution from trial by combat to a less violent form of testing by evidence and argument.

Justice Frankfurter probably said it best when he observed, "The history of American freedom is in no small part the history of procedure." The system of procedure governing trials to which Justice Frankfurter referred is man-made and is directed to higher values and greater purposes than a system which would guarantee the conviction of every person violating the law. For example, the constitution prohibits various investigatory methods which would be highly efficient but which would be incompatible with the values of free people. Accordingly, when a conviction is sought by methods repugnant to our basic values protected by the Constitution, reliable evidence gained from an illegal search of a residence, for example, may be excluded from a trial. Because of the exclusion of reliable evidence from trials, our system of criminal justice has frequently been subject to severe criticism.