

On September 15, 2021, the Nebraska Supreme Court adopted the following rule amendments to the appendices of Neb. Ct. R. App. P. § 2-101 et seq., with a delayed effective date of January 1, 2022:

**MOTION FOR 30-DAY  
EXTENSION OF BRIEF  
NON-ADVANCED CASES**

**IN THE SUPREME COURT/COURT OF APPEALS OF NEBRASKA**

\_\_\_\_\_,  
Appellee/Appellant,

Case No. \_\_\_\_\_

v.

**MOTION FOR 30-DAY  
EXTENSION OF BRIEF  
NON-ADVANCED CASES**

\_\_\_\_\_,  
Appellee/Appellant.

Comes now the appellant (or appellee) \_\_\_\_\_, and requests a 30-day extension of brief day from \_\_\_\_\_, 20\_\_ to \_\_\_\_\_, 20\_\_.

I request an extension based on one or more of the following good cause:

\_\_\_\_\_ The unavailability of required appellate records through no fault of my own;

\_\_\_\_\_ The case involves complex and unusual facts or legal issues requiring additional research and preparation time;

\_\_\_\_\_ There has been a recent change in appellate counsel and/or appointment or hiring of new counsel who is unfamiliar with the appeal;

\_\_\_\_\_ I have the following conflicts with the schedule of another court:

[Insert court, case name and number, and date of conflict]. \_\_\_\_\_

\_\_\_\_\_ Other good cause not listed above: \_\_\_\_\_

And in support thereof, I list the following facts related to the cause listed above:

[Insert here:] \_\_\_\_\_

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Name Street Address/P.O. Box

\_\_\_\_\_  
Bar Number and Firm Name (attorneys only) City/State/ZIP Code

\_\_\_\_\_  
Phone Email Address

ATTORNEYS: USE THE SYSTEM-GENERATED CERTIFICATE OF SERVICE

NON-ATTORNEYS: USE THE FOLLOWING AFFIDAVIT CERTIFICATE OF SERVICE

The foregoing Motion was served upon \_\_\_\_\_, attorney for appellee/appellant or self-represented litigant by mailing a copy to him/her at \_\_\_\_\_ .  
(Address/Zip Code)

\_\_\_\_\_  
/s/ ~~Attorney Name (Bar Number)~~

(NOTE: ~~In all advanced cases, a showing of exceptional cause must accompany any request for extensions. In nonadvanced cases any extension past the first 30 day extension must be accompanied by a showing of cause. Neither the stipulation of the parties nor mere conclusory statements such as “the press of other business” constitutes good cause. See Neb. Ct. R. App. P. § 2-106(PE)(2).~~)

APPENDIX 1

Appendix 1 amended December 21, 2016 effective December 21, 2016; ~~amended September 15, 2021, effective January 1, 2022.~~

This form is neither approved nor disapproved by any court or judicial tribunal.  
Use of this form provides no immunity from error.

**STIPULATION**

**IN THE SUPREME COURT/COURT OF APPEALS OF NEBRASKA**

\_\_\_\_\_  
Appellee/Appellant,

Case No. \_\_\_\_\_

v.

**STIPULATION**

\_\_\_\_\_  
Appellee/Appellant,

Comes now the parties and stipulate that appellant's (or appellee's) brief day may be extended from \_\_\_\_\_, 20\_\_\_\_ to \_\_\_\_\_, 20\_\_\_\_\_.

The parties suggest the following cause exists for one or more reasons:

This is an advanced civil or criminal case (Exceptional cause):

\_\_\_\_\_ The intervention of something beyond the control of the requestor;

and/or

\_\_\_\_\_ unexpected illness, incapacity, or unforeseeable absence of the person preparing the brief.

This is a non-advanced civil case (Good cause):

\_\_\_\_\_ The unavailability of required appellate records through no fault of the requestor;

\_\_\_\_\_ The case involves complex and unusual facts or legal issues requiring additional research and preparation time;

\_\_\_\_\_ There has been a recent change in appellate counsel and/or appointment or hiring of new counsel who is unfamiliar with the appeal;

\_\_\_\_\_ Conflicts with the schedule of another court:

\_\_\_\_\_ Other good cause not listed above: [Insert here]

The parties stipulate and agree the following facts support the above listed cause:

[Insert here]: \_\_\_\_\_

/s/

\_\_\_\_\_  
Attorney or Non-Attorney Name (Bar Number)

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Street Address/P.O. Box Number

\_\_\_\_\_  
City/State/ZIP Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
E-mail Address

/s/

\_\_\_\_\_  
Attorney or Non-Attorney Name (Bar Number)

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Street Address/P.O. Box Number

\_\_\_\_\_  
City/State/ZIP Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
E-mail Address

(NOTE: ~~In all advanced cases, a showing of exceptional cause must accompany any request for extensions. In nonadvanced cases any extension past the first 30 day extension must be accompanied by a showing of cause.~~ Neither the stipulation of the parties nor mere conclusory statements such as “the press of other business” constitutes good cause. See Neb. Ct. R. App. P. § 2-106(~~FE~~)(2).)

#### APPENDIX 2

Appendix 2 amended September 24, 2014, effective January 1, 2015; amended September 15, 2021, effective January 1, 2022.

This form is neither approved nor disapproved by any court or judicial tribunal. Use of this form provides no immunity from error.

**SAMPLE MOTION AND PROOF OF SERVICE FOR DISMISSAL OF APPEAL BY APPELLEE.**  
(This box will not print on final product)

Nebraska State Court Form

Ch. 2, Art. 1, App. 3  
Effective ~~12/21/16~~  
1/1/22  
Neb. Ct. R. § 2-108(C)

**MOTION TO DISMISS**

**IN THE SUPREME COURT/COURT OF APPEALS OF NEBRASKA**

\_\_\_\_\_,  
Appellee/Appellant,

CASE NO. \_\_\_\_\_

v.

**MOTION TO DISMISS**

\_\_\_\_\_,  
Appellee/Appellant.

Comes now appellee and moves to dismiss on the ground that: (e.g., the appellant accepted the benefits of the judgment of the District Court.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

/s/  
\_\_\_\_\_  
Attorney Name (Bar Number)  
\_\_\_\_\_  
Firm Name  
\_\_\_\_\_  
Street Address/P.O. Box Number  
\_\_\_\_\_  
City/State/ZIP Code  
\_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail Address \_\_\_\_\_

ATTORNEYS: USE THE SYSTEM-GENERATED CERTIFICATE OF SERVICE  
NON-ATTORNEYS: USE THE FOLLOWING CERTIFICATE  
AFFIDAVIT OF SERVICE

The foregoing Motion was served upon \_\_\_\_\_, attorney for  
appellant, or self-represented litigant by mailing a copy to him/her at \_\_\_\_\_.  
(Address/Zip Code)

/s/ \_\_\_\_\_  
(Attorney Name (Bar Number))

**APPENDIX 3**

**Summary to Accompany Application for Leave to File  
Appeal by County Attorney - § 29-2315.01**

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The Nebraska Supreme Court requires that this form be filed as part of an application by a county attorney requesting leave to file an appeal pursuant to Neb. Rev. Stat. § 29-2315.01 and Neb. Ct. R. § 2-115(C). This form is only a synopsis of the action in the case, and is not a substitute for any pleading or application required by statute. Answers may be continued on an attached sheet of paper.

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1. Name, address, and telephone number of attorney presenting application:

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2. County where case filed:

3. Name of district judge:

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4. Case Caption:     STATE v.

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5. Charge(s) filed against defendant:

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6. Description of order for which review is sought:

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7. Date order entered:

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8. Summary of the basis or reasons for the application:

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9. Brief, concise statement of facts:

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10. Description of the public interest to be protected by this review:

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11. Portion of record to be presented for review:

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12. Date application filed with trial court:

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13. Date application signed:

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APPENDIX 4

# CERTIFICATE OF CIVIL APPEAL

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

In the Matter of the Estate of:

Case # \_\_\_\_\_

## CERTIFICATE OF CIVIL APPEAL

\_\_\_\_\_  
Plaintiff

vs.

Attorney: \_\_\_\_\_ No.: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\_\_\_\_\_  
Defendant

Attorney: \_\_\_\_\_ No.: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

I certify that the attached are true and accurate copies of pleadings filed in the above-captioned civil case.

Type of case:  Law (General)  Dissolution  
 Paternity

Origin of case:  
 County Court  
 District Court  
 Other \_\_\_\_\_

Notice of appeal directed to:  
 Court of Appeals OR  Supreme Court

Statutory authority:  Constitutionality of statute  
 Other (specify statute) \_\_\_\_\_

Notice of appeal filed on \_\_\_\_\_  
Statutory docket fee paid on \_\_\_\_\_; **or**  
poverty affidavit filed on \_\_\_\_\_

Cost bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_  
Cash in lieu of cost bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_ **or**  
supersedeas bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_

The following motions have been filed:

- Motion for new trial. Date filed: \_\_\_\_\_ Date disposed of: \_\_\_\_\_
- Motion to alter or amend judgment. Date filed: \_\_\_\_\_ Date disposed of: \_\_\_\_\_
- Motion to set aside verdict or judgment. Date filed: \_\_\_\_\_ Date disposed of: \_\_\_\_\_
- None of the above motions have been filed.

Date: \_\_\_\_\_ (seal)  
Clerk of District Court

By: \_\_\_\_\_



**CERTIFICATE OF  
CRIMINAL APPEAL**

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

Trial Court No. \_\_\_\_\_

**CERTIFICATE OF CRIMINAL APPEAL**

STATE OF NEBRASKA,

Plaintiff,

Vs.

\_\_\_\_\_

Defendant.

Attorney: \_\_\_\_\_ Bar No \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Attorney: \_\_\_\_\_ Bar No \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

I certify that the attached are true and accurate copies of pleadings filed in the above captioned criminal case.

Type of plea:

- not guilty (trial held) \_\_\_\_\_ OR  guilty or nolo contendere
- to jury
- to judge

Type of case: \_\_\_\_\_ Origin of case:

- felony-  County Court (appeal to District Court)
- misdemeanor-  District Court
- postconviction-  Other \_\_\_\_\_
- plea in bar
- juvenile transfer
- other

Notice of appeal directed to:

- Court of Appeals \_\_\_\_\_ OR  Supreme Court Statutory-  
authority:
  - Death sentence Life
  - imprisonment
  - Constitutionality of statute
  - Other (specify statute) \_\_\_\_\_

Notice of appeal filed on \_\_\_\_\_

Statutory docket fee paid on \_\_\_\_\_; **or**

poverty affidavit filed on \_\_\_\_\_

Cost bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_

Cash in lieu of cost bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_; **or**

supersedeas bond in the amount of \$ \_\_\_\_\_ posted on \_\_\_\_\_

All motions for new trial have been disposed of:

- Yes. Date: \_\_\_\_\_
- No.
- No motions for new trial filed.

Date: \_\_\_\_\_

(SEAL)

Clerk of District Court

By: \_\_\_\_\_

**CERTIFICATE OF JUVENILE APPEAL**

Ch. 2, Art. 1, App. 7 New 12/16  
Effective 08/24/2017

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
(County or Separate Juvenile)

Case No. \_\_\_\_\_

THE STATE OF NEBRASKA  
IN THE INTEREST OF:

**CERTIFICATE OF JUVENILE APPEAL**

\_\_\_\_\_  
Juvenile

I certify that the attached are true and accurate copies of pleadings filed in the above-captioned case. This is a juvenile case involving:  Criminal  Juvenile Transfer

Adjudication/Termination

Notice of appeal directed to:  Court of Appeals OR  Supreme Court

Statutory authority:  Constitutionality of statute

Other (specify statute) \_\_\_\_\_

The notice of appeal was filed on: \_\_\_\_\_

The statutory docket fee was paid on: \_\_\_\_\_; or

a poverty affidavit was filed on: \_\_\_\_\_

All motions for new trial have been disposed of:

Yes. Date: \_\_\_\_\_

No.

No motions for new trial filed.

Date: \_\_\_\_\_

(seal)

Clerk Magistrate/ Clerk of the District Court

By: \_\_\_\_\_

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
(County or Separate Juvenile)

**CERTIFICATE OF JUVENILE APPEAL**

IN THE INTEREST OF: \_\_\_\_\_ Case No. \_\_\_\_\_

\_\_\_\_\_  
Juvenile

List of Parties

Name, Relationship: \_\_\_\_\_ Name, Address, (Representing): \_\_\_\_\_

Name, Relationship:	Name, Address, (Representing):