

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: September 27, 2021

Page:

1

A-21-000244

State v. Kevin J Young  
Petition Appellee Bypass Court of Appeal  
Appellee's petition to bypass denied.

A-21-000322

State v. Luke Lefever  
Motion Appellant to Reconsider Consol.  
Appellant's motion to reconsider consolidation filed in A-21-322 overruled; however, to the extent that if A-21-322 and A-21-278 are designated for oral argument, they will be scheduled at the same time and counsel for Appellant in each case will be granted separate time to argue. Parties will be notified of specific time designations if placed on the oral argument call.

A-21-000342

State v. Richard L Roebuck  
Motion Appellee to Extend Brief Date  
Motion considered. By order of the Court, Appellee's FINAL brief date extended to October 27, 2021. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(F)(1).

A-21-000415

State v. Michael D Lee  
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. An appellate court will not disturb a sentence imposed within the statutory limits absent an abuse of discretion by the trial court. State v. Archie, 305 Neb. 835, 943 N.W.2d 252 (2020).

A-21-000484

State v. Dale Matteson  
Motion Appellant to Extend Brief Date  
Motion considered. By order of the Court, Appellant's FINAL brief date extended to November 1, 2021. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(F)(1).

A-21-000529

Peterson-Becker Developments Inc v. Thalken  
ROD Motion Appellant to Dismiss Appeal  
Motion of Appellant to dismiss appeal sustained; appeal dismissed; mandate to issue accordingly.

A-21-000559

Stanko v. Smith King Simmons and Conn Law  
Replacement Brief Due  
Appellant's brief filed September 23, 2021, does not comply with Neb. Ct. R. App. P. § 2-109(D)(1)(g)(h)(i) regarding the annotation to the statement of facts, summary of argument and argument. Appellant's replacement brief complying with the above-referenced rule due on or

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: September 27, 2021  
before October 12, 2021.

Page: 2

Supreme Court of Nebraska  
Office of the Clerk

Minutes: September 27, 2021

Page:

1

S-21-000246

State v. Samraj Gnanaprakasam

By order of Court Supplemental Briefing

The parties are invited to file simultaneous supplemental briefs, not exceeding 15 pages in length, within 10 days regarding the effect of the decisions in State v. Chase, 310 Neb. 160, \_\_\_ N.W.2d \_\_\_ (2021) and State v. Brown, 310 Neb. 224, \_\_\_ N.W.2d \_\_\_ (2021), upon the issues presented in the instant case.

S-21-000557

State v. Aubrey C Trail

Motion Appt to Extend Brief Date (FAX)

Motion considered. By order of the Court, FINAL brief

date extended to November 8, 2021. No Further extensions will be

allowed except upon a showing of exceptional cause. See Neb. Ct. R.

App. P. § 2-106(F)(1).

S-21-000557

State v. Aubrey C Trail

Mot Appt to Dismiss Ct Appointed Counsel

Motion of Appellant to dismiss court-appointed counsel and proceed pro se is overruled without prejudice for failure to serve Appellant's court-appointed counsel. See Neb. Ct. R. App. P. § 2-106(D).

S-21-000716

In re Application for Appointment of Trustee, James Martin Davis

Application Appointment of Co-Trustees

Application for Appointment of Co-Trustees for James Martin Davis, filed pursuant to Neb. Ct. R. § 3-328(A)(ii) is granted. The Court appoints William Eustice and Victoria Sitz to serve as Co-Trustees and directs them to perform the tasks listed in Rule § 3-328(A), to wit: to inventory the files, sequester client funds, and take whatever other action seems indicated to protect the interests of the clients and other affected parties. Mr. Eustice will receive compensation as outlined in Rule § 3-328(3). Ms. Sitz has agreed to serve without compensation. The Co-Trustees' first report is due on or before December 16, 2021.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

S-20-000925

Ruwe v. Ruwe

Order to Show Cause/Jurisdiction 10/13