

Court of Appeals of Nebraska
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A-14-001082

State v. Dammon T. Haynes

Motion of Appellant Default Judgment

Motion of Appellant for default judgment overruled for lack of jurisdiction as filing was made after mandate was issued.

A-14-001083

State v. Dammon T. Haynes

Motion of Appellant Default Judgment

Motion of Appellant for default judgment overruled for lack of jurisdiction as filing was made after mandate was issued.

A-21-000553

State v. Massey L Allen Jr

Motion Appellant to Stay Mandate

Motion of Appellant to stay mandate overruled.

A-21-000765

State v. Shawn M Titus

Motion Appellant to Stay Mandate

Motion of Appellant to stay mandate overruled.

A-21-000909

Chelli v. Crow

Motion Ext. Brief Support Mot. Rehearing

Motion of Appellant to extend time to file a brief in support of their motion for rehearing sustained, in part. Appellant's brief in support due on or before October 24, 2022. No further extensions will be granted.

A-22-000176

State v. Roy E Wyrick

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to October 28, 2022. No further extensions will be allowed.

A-22-000232

State v. Luis M Martinez

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is granted. Appellant's motion for postconviction relief is procedurally barred as untimely. See, Neb. Rev. Stat. § 29-3001(4) (Reissue 2016); State v. Jerke, 302 Neb 372, 923 N.W.2d 78 (2019) (factual predicate for claim concerns whether important objective facts could reasonably have been discovered, not when claimant should have discovered legal significance of those facts).

A-22-000234

Perez Carmenate v. Walmart Stores, Inc.

Case Review re Rule 2-111 Submission

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

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from the October Review Docket of the Nebraska Court of Appeals.

A-22-000234

Perez Carmenate v. Walmart Stores, Inc.

Motion Appellant Continue Oral Argument

Motion of Appellant to continue oral arugment overruled as moot.

A-22-000451

In re Interest of Natalya R.

Replacement Brief Due 10-19-22

Appellant's brief filed October 4, 2022, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3) regarding spacing, 2-103(A)(4) regarding underscored type, and 2-103(C)(4) regarding a certificate of compliance. Appellant's replacement brief complying with the above-referenced rules is due on or before October 19, 2022.

A-22-000452

In re Interest of Oshea R.

Replacement Brief Due 10-19-22

Appellant's brief filed October 4, 2022, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3) regarding spacing, 2-103(A)(4) regarding underscored type, and 2-103(C)(4) regarding a certificate of compliance. Appellant's replacement brief complying with the above-referenced rules is due on or before October 19, 2022.

A-22-000474

Abdi obo Mohamed F v. Spence

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to November 30, 2022. 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-22-000528

Macy v. Macy

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to October 31, 2022. 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-22-000563

State v. Marrissa M Allsman

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-22-000584

In re Interest of Emmalynn L.

Request to Extend Bill Exceptions

Request sustained in part; time for preparation of bill of exceptions extended to November 21, 2022.

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A-22-000584

In re Interest of Emmalynn L.

Brief Date Extended

By order of the Court, record preparation date having been extended to November 21, 2022, Appellant's brief date extended to December 21, 2022.

A-22-000622

Northwest Crossings LLC v. Bruce Lavalleur PC

Request to Extend Bill Exceptions

Request for extension of bill of exceptions preparation date sustained. Bill of exceptions due on or before October 26, 2022.

A-22-000622

Northwest Crossings LLC v. Bruce Lavalleur PC

Brief date extended to 11-28-22

By order of the Court, record preparation date having been extended to October 26, 2022, Appellant's brief date extended to November 28, 2022.

A-22-000627

State v. Mario Santos

Request to Extend Bill Exceptions

Request for extension of bill of exceptions preparation date overruled as moot. Appeal was dismissed for lack of jurisdiction on September 21, 2022.

A-22-000632

State v. Everette L Oneal

Mot W/D Appt Cnsl Tarrell & Appoint Cnsl

Motion sustained; David Tarrell allowed to withdraw as counsel for Appellant.

A-22-000694

State v. Taylor A Smith

Motion Appellant Cnsl Kosmicki Withdraw

Motion sustained; Matthew Kosmicki allowed to withdraw as counsel for Appellant.

A-22-000696

State v. Ericka M Sheridan

Ruling reserved re Motion to Withdraw

Motion to withdraw as counsel for Appellant filed by attorney Bill Chapin 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, and upon supplementation of the appellate record showing withdrawal was granted in the trial court and, if appropriate, appointment of replacement counsel. Compliance shall be provided within seven days of this notice.

A-22-000711

Wheeler v. Stanko

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ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's
September 27, 2022, notice of appeal was not timely filed from any
recent order entered by the district court. See Neb. Rev. Stat. §
25-1912(1) (Cum. Supp. 2020).

A-22-000712

Stanko v. Wheeler

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). The district
court has not yet addressed all of the claims of all the parties, as
required by Neb. Rev. Stat. § 25-1315(1) (Reissue 2016).

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S-11-000626

State ex rel. Counsel for Discipline v. Crawford
Motion Resp for Arg re Reinstatement-FAX
Exceptions to recommendations, objection, and request for hearing and
oral argument overruled.

S-11-000626

State ex rel. Counsel for Discipline v. Crawford
By order of the Court re: Reinstatement
By order of the Court, matter referred to the Nebraska State Bar
Commission to develop, if possible, a proposed agreement on the terms
and conditions of reinstatement.

S-22-000122

Slama v. Slama
Motion Appe JoLynn re Oral Argument Time
Motion of Appellees Jo Lynn Slama and Ken Michael Slama to realign
parties for purposes of oral argument granted. Appellant John M.
Sandahl and Appellee Norman L. Slama will share 10 minutes of
argument, and Appellees Jo Lynn Slama and Ken Michael Slama will share
10 minutes of argument.

S-22-000225

State v. Tony W Osborne
Misc Submission to Court - Case Movement
By order of the Nebraska Supreme Court, case moved from Court of
Appeals docket to Supreme Court docket.

S-22-000423

State v. Avery R Tyler
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.

S-22-000700

State ex rel. Koch v. Bergevin
ROD Application to Docket Original Action
Application to docket an original action denied.