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A-21-000130

Wichman v. Hy-Vee Inc

ROD Petition Appellant for Further Review
 Petition of Appellant for further review denied.

A-21-000486

Morgan v. Buckbee

ROD Submitted to Court without Oral Argument
 Affirmed. Arterburn, Judge. See Memorandum Web Opinion.

A-21-000574

Hart v. Bernhagen

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

A-21-000627

In re Interest of Bosileo D. et al

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

A-21-000708

Prellwitz v. Helms

Replacement Brief Due 3-1-22
Appellee's brief filed February 14, 2022, does not comply with § 2-103(C)(4) regarding the certificate of compliance with the formatting rules. Appellee's replacement brief complying with the above-referenced rule is due on or before March 1, 2022.

A-21-000858

State v. Craig D Cooper

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. A sentence imposed within the statutory limits will not be disturbed on appeal in the absence of an abuse of discretion by the trial court. State v. Blake, 310 Neb. 769, ___ N.W.2d ___ (2022).

A-21-000866

State v. Patrick J Kopke

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance is granted. See Neb. Ct. R. App. P. § 2-107(B)(2). It is well established that an appellate court will not disturb sentences within the statutory limits unless the district court abused its discretion in establishing the sentences. See State v. Morton, 310 Neb. 355, 966 N.W.2d 57 (2021). Regardless of whether an appellate court is reviewing a sentence for its leniency or for its excessiveness, a sentence imposed by a district court that is within the statutorily prescribed limits will not be disturbed on appeal unless there appears to be an abuse of the trial court's

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discretion. See *State v. Harrison*, 255 Neb. 990, 588 N.W.2d 556 (1999). The power to impose sentences is entrusted to the sentencing court and not to an appellate court, and the sentencing court did not abuse its discretion in the exercise of that power. *State v. Morton*, supra.

A-21-000935

State v. Justin A Rodenbaugh

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). Sentencing pursuant to the habitual criminal statutes did not violate appellant's Eighth Amendment rights. See *State v. Erpelding*, 292 Neb. 351, 874 N.W.2d 265 (2015).

A-21-000955

State v. Tony E Bush

Motion Appellee to Extend Brief Date
Motion considered. By order of the Court, Appellee's FINAL brief date extended to March 16, 2022. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

A-21-001004

State v. Clintus J Alford

Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to March 16, 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-21-001019

In re Guardianship of Ashton S.

ROD

Misc Submission to Court - Jurisdiction
APPEAL DISMISSED. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant did not properly perfect his appeal from the July 6, 2021, order. As noted by the district court in its December 2, 2021, order, an appellant's designation of the wrong court for an appeal does not necessarily defeat jurisdiction. See *In re Guardianship of Breehana C.*, 14 Neb. App. 182, 706 N.W.2d 66 (2005). However, appellant did not pay a docket fee until December 16, 2021, well beyond the 30-day deadline. See Neb. Rev. Stat. § 30-1601(1) (Cum. Supp. 2020).

A-22-000076

State v. Robert Medina

ROD

Misc Submission to Court re Jurisdiction
APPEAL DISMISSED. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant was sentenced on January 4, 2022, and filed his notice of appeal 31 days later, on February 4, 2022. His appeal is not timely. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2020).

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A-22-000101

Anton v. Anton

By order of the Court

By order of the Court, trial court directed to rule upon motion for appointment of counsel previously filed in the trial court and/or to notify the Clerk of the Supreme Court of such ruling within 14 days of this order.

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S-18-000640

State ex rel. Counsel for Discipline v. Khaleeq

By order of the Court re Trustee Report

The Court, on its own motion, orders the Trustee to file its overdue report on or before February 25, 2022. Counsel for Discipline directed to contact Trustee to facilitate such report.

S-19-000081

In re Application for Appointment of Trustee, Mark A. Keenan

Final Trustee Report & Motion for Fees

Trustee's Final Report is accepted and Clerk directed to file the Report dated January 25, 2022. Trustee's request for fees and expenses granted in the amount of \$6,897.08.