

Court of Appeals of Nebraska
Office of the Clerk

Minutes: April 17, 2023

Page:

1

A-22-000375

Reynolds v. Reynolds

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

A-22-000741

In re Interest of Rayven M.

Appellees Replacement Brief Due 5/1

Appellees' brief filed April 17, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering; and 2-103(C)(4) regarding the certificate of compliance. Appellees replacement brief complying with the above-referenced rules is due on or before May 1, 2023.

A-22-000746

State v. Johnny D Holbrook

Appellant's Replacement Brief Due

Appellant's brief filed April 13, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering of the brief and 2-109 regarding the required contents of a brief. Appellant's replacement brief complying with the above-referenced rules is due on or before May 17, 2023. Clerk's Office directed to send a sample brief that complies with court rules.

A-22-000747

In re Interest of Kaleb M.

Appellees Replacement Brief Due 5/1

Appellees' brief filed April 17, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering; and 2-103(C)(4) regarding the certificate of compliance. Appellees replacement brief complying with the above-referenced rules is due on or before May 1, 2023.

A-22-000752

In re Interest of Kaleb M.

Appellees Replacement Brief Due 5/1

Appellees' brief filed April 17, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering; and 2-103(C)(4) regarding the certificate of compliance. Appellees replacement brief complying with the above-referenced rules is due on or before May 1, 2023.

A-22-000753

In re Interest of Rayven M.

Appellees Replacement Brief Due 5/1

Appellees' brief filed April 17, 2023, does not comply with Neb. Ct. R. App. P. §§ 2-103(C)(2) regarding page numbering; and 2-103(C)(4) regarding the certificate of compliance. Appellees replacement brief complying with the above-referenced rules is due on or before May 1, 2023.

A-22-000783

Shandera v. Schultz

Court of Appeals of Nebraska
Office of the Clerk

Minutes: April 17, 2023

Page:

2

Appellee's Replacement Brief Due

Appellee's brief filed April 14, 2023, does not comply with Neb. Ct.

R. App. P. § 2-103(C)(2) regarding page numbering of the brief.

Appellee's replacement brief complying with the above-referenced rule is due on or before May 1, 2023.

A-22-000925

Largen v. Gerritsen-Largen

Appellant's Replacement Brief Due

Appellant's brief filed April 14, 2023, does not comply with Neb. Ct.

R. App. P. §§ 2-103(A)(3) regarding spacing, 2-103(C)(2) regarding page numbering, and 2-109(D)1()(c) regarding a statement of

jurisdiction. Appellant's replacement brief complying with the above-referenced rules is due on or before May 1, 2023.

A-23-000034

Perry v. Streittmatter

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to May 22, 2023. 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-23-000234

In re Interest of Ricardo T.

Motion Appellee for Summary Dismissal

Motion of Appellees for summary dismissal sustained. Appeals in A-23-0237, A-23-0236, A-23-0237, and A-23-0238 dismissed for lack of

jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(B)(1). The juvenile court's February 20, 2023, order transferring the cases to the Oglala Sioux Tribe's Children's Court was not yet final and appealable. A transfer of a state court proceeding to the jurisdiction of the primary tribe is subject to declination by the tribal court of the primary tribe. See Neb. Rev. Stat. § 43-1504(2) (Reissue 2016). See also In re Interest of C.W., 239 Neb. 817, 830, 479 N.W.2d 105, 114 (1992), overruled on other grounds, In re Interest of Zylena R., 284 Neb. 834, 825 N.W.2d 173 (2012). A further appeal can be taken from an order entered following the tribe's acceptance of jurisdiction.

A-23-000236

In re Interest of Giovanni M.

Motion Appellee for Summary Dismissal

Motion of Appellees for summary dismissal sustained. Appeals in A-23-0237, A-23-0236, A-23-0237, and A-23-0238 dismissed for lack of

jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(B)(1). The juvenile court's February 20, 2023, order transferring the cases to the Oglala Sioux Tribe's Children's Court was not yet final and appealable. A transfer of a state court proceeding to the jurisdiction of the primary tribe is subject to declination by the tribal court of the primary tribe. See Neb. Rev. Stat. § 43-1504(2) (Reissue 2016). See also In re Interest of C.W., 239 Neb. 817, 830, 479 N.W.2d 105, 114 (1992), overruled on other grounds, In re Interest of Zylena R.,

Court of Appeals of Nebraska
Office of the Clerk

Minutes: April 17, 2023

Page: 3

284 Neb. 834, 825 N.W.2d 173 (2012). A further appeal can be taken from an order entered following the tribe's acceptance of jurisdiction.

A-23-000237

In re Interest of Leticia T.

Motion Appellee for Summary Dismissal

Motion of Appellees for summary dismissal sustained. Appeals in A-23-0237, A-23-0236, A-23-0237, and A-23-0238 dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(B)(1). The juvenile court's February 20, 2023, order transferring the cases to the Oglala Sioux Tribe's Children's Court was not yet final and appealable. A transfer of a state court proceeding to the jurisdiction of the primary tribe is subject to declination by the tribal court of the primary tribe. See Neb. Rev. Stat. § 43-1504(2) (Reissue 2016). See also In re Interest of C.W., 239 Neb. 817, 830, 479 N.W.2d 105, 114 (1992), overruled on other grounds, In re Interest of Zylena R., 284 Neb. 834, 825 N.W.2d 173 (2012). A further appeal can be taken from an order entered following the tribe's acceptance of jurisdiction.

A-23-000238

In re Interest of Reina T.

Motion Appellee for Summary Dismissal

Motion of Appellees for summary dismissal sustained. Appeals in A-23-0237, A-23-0236, A-23-0237, and A-23-0238 dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(B)(1). The juvenile court's February 20, 2023, order transferring the cases to the Oglala Sioux Tribe's Children's Court was not yet final and appealable. A transfer of a state court proceeding to the jurisdiction of the primary tribe is subject to declination by the tribal court of the primary tribe. See Neb. Rev. Stat. § 43-1504(2) (Reissue 2016). See also In re Interest of C.W., 239 Neb. 817, 830, 479 N.W.2d 105, 114 (1992), overruled on other grounds, In re Interest of Zylena R., 284 Neb. 834, 825 N.W.2d 173 (2012). A further appeal can be taken from an order entered following the tribe's acceptance of jurisdiction.

Supreme Court of Nebraska
Office of the Clerk

Minutes: April 17, 2023

Page:

1

S-22-000495

State v. Felipe N Gonzalez Vazquez

Motion Appellant to Extend Brief Date

Motion considered and granted in part. By order of the Court, FINAL brief date extended to May 1, 2023.

S-22-000612

State v. Jacob E Dolinar

Petition Appellee to Bypass COA

Petition of Appellee to bypass granted.

S-22-000652

State of Nebraska v. T.W.

By order of Court placed on June Call

By order of the Court, case to be placed on the next proposed call of the Nebraska Supreme Court, to occur on May 23, 24, and 25, 2023.

Counsel is directed to file conflicts by Thursday, April 20, 2023.

S-23-000028

In re Application A-19594, Water Division 1-A, 1-B

Petition Appt Bypass Court of Appeals

Petition of Appellants to bypass granted.

S-23-000028

In re Application A-19594, Water Division 1-A, 1-B

Motion Appe NPNRD File Replacement Brf

Subject to reconsideration upon timely objection, motion of Appellee North Platte NRD sustained. Leave to file replacement brief granted; due on or before April 24, 2023. Filing of reply brief permitted pursuant to rule.

S-23-000028

In re Application A-19594, Water Division 1-A, 1-B

Mtn Extend Brief Dt. APPE State & HFDP

Motion considered. By order of the Court, Appellees', Nebraska Department of Natural Resources and the Platte to Republican Basin

High Flow Diversion Project, FINAL brief date extended to May 15, 2023. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

S-23-000067

State v. Malik M Stelly

By order of Court re Stricken Exhibits

By order of the Court, exhibits attached to Appellant's brief filed April 13, 2022, are stricken.