

Court of Appeals of Nebraska
Office of the Clerk

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A-21-000576

State v. John A Wiley

Motion Appellee Continue Oral Argument

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Court of Appeals, to occur on September 14 and 15, 2022.

A-21-000665

State v. Santos Renteria-Delgado

Motion Appellee Continue Oral Argument

Motion of Appellee to continue oral argument sustained. Case to be placed on the next proposed call of the Nebraska Court of Appeals, to occur on September 14 and 15, 2022.

A-21-000707

State v. Daejerron L Valentine

Mot Appear via Webex if counsel denied

Appellant's alternative motion to appear for argument electronically overruled as moot.

A-21-000707

State v. Daejerron L Valentine

Motion Appellee Continue Oral Argument

Appellee's motion to continue oral argument overruled as moot.

A-21-000707

State v. Daejerron L Valentine

Motion Appt for Appointment of Counsel

Appellant's motion for appointment of appellate counsel overruled.

A-21-000707

State v. Daejerron L Valentine

ROD

June Early Case Review

Affirmed. See Neb. Ct. R. App. P. § 2-107(A)(2). Appellant's post-conviction motion was not verified as required by Neb. Rev. Stat. § 29-3001 (Reissue 2016). As such, the defect in the motion supports the district court's dismissal. See State v. Burries, 310 Neb. 688, 969 N.W.2d 96 (2022).

A-21-000913

State v. Eric L Ramos

Petition Appt to Bypass Court of Appeals

Appellant's petition to bypass overruled.

A-21-000930

Schaeffer v. Frakes

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.

A-21-000954

State v. Monty Betancur

Motion Appellee to Extend Brief Date

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Motion considered. By order of the Court, Appellee's FINAL brief date extended to June 15, 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-21-000993

State v. Norman J Haley Jr
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.

A-22-000020

In re Interest of Alyn H.
Replacement Brief Due 5-31-22
Appellee's brief filed May 13, 2022, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3), regarding spacing and margins and 2-103(A)(4), regarding underscored type. Appellee's replacement brief complying with the above-referenced rules is due on or before May 31, 2022.

A-22-000042

State v. Joseph W Blythe
ROD Petition Appellant for Further Review
Petition of Appellant for further review denied.

A-22-000043

State v. Joseph W Blythe
ROD Petition Appellant for Further Review
Petition of Appellant for further review denied.

A-22-000051

In re Interest of Anita L.
Replacement Brief Due 5-31-22
Appellee's brief filed May 13, 2022, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3), regarding margins, and 2-109(D)(4), regarding the cross-appeal. For guidance on the cross-appeal, see In re Interest of Becka P., 27 Neb. App. 489, 933 N.W.2d 873 (2019). Appellee's replacement brief complying with the above-referenced rule is due on or before May 31, 2022.

A-22-000131

Lewis v. Goslin
Motion Appellants' to Extend Brief Date
Motion considered. By order of the Court, Appellants' FINAL brief date extended to June 3, 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-22-000147

Avis Rent a Car System, Inc. v. McDavid
By order of Court re: Bill of Exceptions
Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date or a request by court reporting personnel

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for an extension of time to prepare the same.

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A-22-000200

State v. James C Mahoney

ROD Motion Appellant to Dismiss Appeal
Stipulation allowed; appeal dismissed; mandate to issue accordingly
forthwith.

A-22-000214

In re Estate of Fry

ROD Motion Appellant to Dismiss Appeal
Motion of Appellant to dismiss appeal sustained; appeal dismissed;
mandate to issue accordingly.

A-22-000240

State v. Daevier K Kellogg

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.

A-22-000300

State v. Robert Harden

Motion Appt Reverse District Ct. Order

Appellant's motion to order reversal of the district court's judgment
of May 2, 2022, is not a properly perfected appeal of that order and
is therefore dismissed. See, Neb. Rev. Stat. § 25-2301.02 (Reissue
2016); State v. Carter, 292 Neb. 16, 870 N.W.2d 641 (2015) (outlining
process by which appellate jurisdiction is obtained over order denying
in forma pauperis status on appeal).

A-22-000300

State v. Robert Harden

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant
timely filed a notice of appeal; however, his poverty affidavit, filed
in lieu of the statutory docket fee, is not notarized. See, generally,
Neb. Rev. Stat. § 25-2301.01 et seq. (Reissue 2016); State v. Haase,
247 Neb. 817, 530 N.W.2d 617 (1995) (to properly perfect appeal when
filing poverty affidavit in lieu of docket fee, affidavit must be
subscribed and sworn to before a person authorized by law to
administer oaths).

A-22-000314

Tyler v. McVay

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App.
P. § 2-107(A)(1). There has been no final order yet entered in this
case. See Neb. Rev. Stat. § 25-1902(1) (Cum. Supp. 2020).

A-22-000366

State v. Daniel C Stalder

By order of the Court

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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-22-000192

State v. Neland T Gray Jr

By order of Court re Bill of Exceptions

Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date or a request by court reporting personnel for an extension of time to prepare the same.