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A-21-000342

State v. Richard L Roebuck

ROD Submitted to Court without Oral Argument
Affirmed. Pirtle, Chief Judge. (P)

A-21-000602

Smith v. McCright

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000652

In re Guardianship of Keni A.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000688

Rosberg v. Rosberg

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000719

State v. Jose L Arviso Licano

ROD Submission to Court - Excessive Sentence

Affirmed in part, and in part vacated and remanded for resentencing. Riedmann, Judge. See memorandum web opinion.

A-21-000820

State v. Morgan N Riley

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000893

In re Interest of Lamiah L.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000894

In re Interest of Roger L.

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 June Review Docket of the Nebraska Court of Appeals.

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A-21-000895

In re Interest of Marian L.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000896

In re Interest of Leon L.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000916

In re Interest of Elihu A.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000917

In re Interest of Elias A.

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 June Review Docket of the Nebraska Court of Appeals.

A-21-000904

State v. Allen A Busby

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to June 27, 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-22-000025

Preserve the Sandhills, LLC v. Cherry County, Nebraska

Mot Appes to Ext Brief Date Cherry Co

Motion considered. By order of the Court, Appellee Cherry County's FINAL brief date extended to July 1, 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-22-000052

Capital One Bank, N.A. v. Tafoya

Replacement Brief Due 6-10-22

Brief of Appellee filed May 27, 2022, does not comply with Neb. Ct. R. App. P. §§ 2-103(A)(3) regarding margins and spacing, 2-103(A)(4) regarding underscored type, and 2-103(C)(4) regarding a certificate of compliance. Appellee's replacement brief complying with the above-referenced rules is due on or before June 10, 2022.

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A-22-000060

Perry v. Buchanan

Motion Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to July 1, 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-22-000065

State v. Jonathan G Zuniga Jr

ROD Misc. Submission - Juvenile Transfer

Affirmed. Welch, Judge. See memorandum web opinion.

A-22-000072

State v. Jeffrey D Moore

Motion Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to June 30, 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-22-000073

Leonor v. Frakes

Petition to Bypass Court of Appeals

Appellant's petition to bypass overruled.

A-22-000083

State v. Michael C Mahoney

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-22-000130

In re Guardian/Conservatorship of Elizabeth C.

Appellant's Replacement Brief Due

Brief of Appellant filed on May 27, 2022 does not comply with the new pleading and briefing rules in regards to formatting, content and compliance as found in Neb. Ct. R. App. P. §§ 2-103 and 2-109.

Appellant to file replacement brief on or before June 10, 2022 in compliance with the above referenced rule.

A-22-000148

Sadler Electric Inc v. Sadler

ROD Petition Appellant for Further Review

Petition of Appellant for further review denied.

A-22-000171

State v. Brandon J Weathers

ROD Motion Appellee for Summary Affirmance

Appellee's motion for summary affirmance is granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Appellant's motion for stipulation for summary reversal is denied. The Nebraska Postconviction Act provides a

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defendant in custody with a civil procedure by which a defendant can present a motion alleging there was such a denial or infringement of the rights of the prisoner as to render the judgment void or voidable under the Constitution of this state or the Constitution of the United States. See, State v. Goynes, 293 Neb. 288, 876 N.W.2d 912 (2016); Neb. Rev. Stat. § 29-3001(2) (Reissue 2016). Section 29-3001(4) places a 1-year period of limitation on the filing for relief. See also State v. Sims, 277 Neb. 192, 761 N.W.2d 527 (2009) (defendant is required to bring all claims under Nebraska Postconviction Act at first opportunity, and successive motion will be denied unless it affirmatively shows on its face that basis relied upon for relief was not available at time movant filed prior motion).

A-22-000171

State v. Brandon J Weathers
Motion Appt for Stipulation Summ/Reverse
Appellant's motion for stipulation for summary reversal is denied.

A-22-000216

State v. Carlos Jimenez
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to June 30, 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-22-000219

State v. Paul A Clark
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to June 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-22-000293

State v. Gamar Choul
Motion Appellant to Extend Brief Date
Motion considered. By order of the Court, Appellant's FINAL brief date extended to June 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-22-000351

In re Interest of Jesus V.
By order of the Court BOE & Brief Dt Ext
By order of the Court, praecipe for bill of exceptions having been excluded from the notice of appeal in error, preparation date for the bill of exceptions extended to June 27, 2022. Preparation date for the bill of exceptions having been extended to June 27, 2022, Appellant's brief date extended to July 27, 2022.

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ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-22-000387

Schultz v. State of Nebraska

Order to Show Cause re: Jurisdiction

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S-21-000475

State ex rel. Counsel for Discipline v. Nelson
Judgment for Costs
Judgment for costs. See order.

S-21-001003

State v. Benjamin J Warren
Case ordered moved to Sup. Ct. docket
By order of the Nebraska Supreme Court, case moved from Court of
Appeals docket to Supreme Court docket.