

Court of Appeals of Nebraska
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A-23-000220

Security State Bank v. Bopp

Mot Appellant to Ext Brf Supp MFR

Motion sustained. Appellant's brief in support to motion for rehearing is due on or before May 3, 2024.

A-23-000221

Bopp v. Security State Bank

Mot Appellant to Ext Brf Supp MFR

Motion sustained. Appellant's brief in support to motion for rehearing is due on or before May 3, 2024.

A-23-000284

Furman v. Furman

Motion of Appellant for Attorney Fees

Appellant's motion for attorney fees is sustained, in part, in the amount of \$5,650.

A-23-000718

State v. Marrickio D Harris

Motion of Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to May 22, 2024. No further extensions will be allowed.

A-23-000855

State v. Andrea E Moffatt

Motion of Appt to Ext Rcplmnt Brf Date

Motion of Appellant to extend time to file a replacement brief sustained. Appellant's replacement brief is due on or before May 6, 2024.

A-23-000873

State v. Larry L Divis

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to May 22, 2024. No further extensions will be allowed.

A-24-000007

Allen v. Allen

Motion Appellant to Extend Brief Date

Motion of Appellant for extension of brief date is overruled for failure to show good cause for a third extension.

A-24-000007

Allen v. Allen

Motion Appt Leave to Supplement BOE

Motion of Appellant for leave to file an addition to bill of exceptions out-of-time is overruled for failure to show good cause for belated request not being within Appellant's reasonable control. See Neb. Ct. R. App. P. § 2-105(B)(2)(f).

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A-24-000012

Montgomery v. City of Omaha

Notice of Appt - Supplementing BOE

Motion for leave to supplement the bill of exceptions overruled as improper request to expand the record. "Generally, it is not the function of an appellate court to review evidence that was not presented to the trial court. A bill of exceptions is the only vehicle for bringing evidence before an appellate court; evidence which is not made a part of the bill of exceptions may not be considered." See, Timothy L. Ashford, PC LLO v. Roses, 313 Neb. 302, 317, 984 N.W.2d 596, 609 (2023).

A-24-000018

Jones v. Colgrove

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to May 8, 2024. 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-24-000031

State v. Leshawn C Rogers

Motion of 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-24-000046

Collins v. Robinson-Collins

ROD APPT Default Notice Loretta

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

A-24-000127

Evens v. Evens

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to April 29, 2024.

A-24-000149

Brummels v. Brummels

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to May 9, 2024.

A-24-000149

Brummels v. Brummels

Appellant's Brief date extended

Record preparation date having been extended to May 9, 2024, Appellant's brief date extended to June 10, 2024.

A-24-000161

State v. Kiwan C Dampeer

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Ruling reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Robert Graham, 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. Compliance shall be provided to the Court within seven days of this notice.

A-24-000193

State v. Justyn Wagner

Motion to Withdraw Wayne

Motion sustained; Justin Wayne allowed to withdraw as counsel for Appellant.

A-24-000194

State v. Andrea R Gross

Ruling Reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Cooper Self, taken under further 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. Compliance shall be provided to the Court within seven days of this notice.

A-24-000210

Borowski v. Walker

Motion of Appt to Withdraw Mot Rehearing

Motion of Appellant to withdraw the motion for rehearing sustained.

A-24-000243

State v. Brandyn E Tomes

Ruling reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Brett McCarthy, 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. Compliance shall be provided to the Court within seven days of this notice.

A-24-000243

State v. Brandyn E Tomes

Mot of Appt for Leave to File IFP Affd

Motion of Appellant for leave to file an affidavit of in forma pauperis denied without prejudice to seeking relief in the trial court.

A-24-000244

State v. Brandyn E Tomes

Mot of Appt for Leave to File IFP Affd

Motion of Appellant for leave to file an affidavit of in forma pauperis denied without prejudice to seeking relief in the trial court.

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A-24-000244

State v. Brandyn E Tomes

Ruling reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Brett McCarthy, 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. Compliance shall be provided to the Court within seven days of this notice.

A-24-000256

In re Interest of Triton B.

Motion of Appt of Leave to Request BOE

Motion of Appellant for leave to request bill of exceptions out of time sustained. Appellant shall file their request within three days of this order.

A-24-000257

In re Interest of Hazelynn B.

Motion of Appt of Leave to Request BOE

Motion of Appellant for leave to request bill of exceptions out of time sustained. Appellant shall file their request within three days of this order.

A-24-000263

State v. Jzaun Moore

Order to Show Cause re Late BOE

Motion of Appellant for leave to request bill of exceptions out of time sustained. Appellant shall file their request within three days of this order.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000122

Konecne obo Estate of Misle v. Abram LLC

Order to Show Cause re BOE. See order.

A-24-000171

State v. Travis Belina

Order to Show Cause re BOE. See order.

A-24-000282

Kilroy v. Kuldip Singh-Cheema Investment

Order to Show Cause re Jurisdiction

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S-23-000929

Herman v. Peter Tonn Enterprises, LLC

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.

S-24-000281

State v. Karsen H Rezac

Motion Appt Counsel Eppler to Withdraw

Motion of Timothy Eppler to withdraw as counsel granted, subject to Mr. Kosmicki filing his appearance.