

Court of Appeals of Nebraska
Office of the Clerk

Minutes: May 1, 2024

Page:

1

A-23-000495

In re Interest of Quiotis C.
Motion of Appellant to Continue OA
Appellant's motion to continue oral argument overruled as moot.

A-23-000495

In re Interest of Quiotis C.
Appellant's Motion to Supplement BOE
"Appellant's motion to supplement the record pursuant to the informa pauperis order is granted in part. The conversion cost of Exhibit 125 is to be included in the cost of the preparation of the bill of exceptions for which the district court granted in forma pauperis status. All other relief requested is denied. See Neb. Ct. R. App. P. 2-105.02(D)."

A-23-000495

In re Interest of Quiotis C.
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 May Review Docket of the Nebraska Court of Appeals.

A-23-000507

State v. Trent Deering
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 May Review Docket of the Nebraska Court of Appeals.

A-23-000603

General Drivers v. Duet of Eastern Nebraska
ROD Petition of Appellant for Further Review
Petition of Appellant for further review denied.

A-23-000646

State v. Tommie L Williams
ROD Mot. of Appellee for Summary Affirmance
Motion for summary affirmance sustained (2/1 vote). See Neb. Ct. R. App. P. § 2-107(B)(2). It is incumbent upon an appellant to present a record which supports the errors assigned. See Sanwick v. Jenson, 244 Neb. 607, 508 N.W.2d 267 (1993). Appellant failed to include in the record provided to this court his motion for new trial, filed on February 23, 2023, which is the subject matter of this appeal.

A-23-000769

In re Interest of Imani M.
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 May Review Docket of the Nebraska Court of Appeals.

A-23-001025

Holtzen v. Holtzen

Court of Appeals of Nebraska
Office of the Clerk

Minutes: May 1, 2024

Page:

2

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to June 3, 2024.

A-24-000049

Leibhart v. City of Imperial, Nebraska

Motion of Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to June 12, 2024.

A-24-000058

State v. Spencer White

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. Horne, 315 Neb. 766, 1 N.W.3d 457 (2024).

A-24-000140

State v. Jennifer A Mitchell

ROD Motion of Appellant to Dismiss Appeal

Stipulation allowed; appeal dismissed; mandate to issue accordingly forthwith.

A-24-000197

Tyler v. Doe

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant failed to appeal or pay a docket fee within 30 days following the district court's denial of his application to appeal in forma pauperis. See, Neb. Rev. Stat. § 25-2301.02 02 (Reissue 2016); Mumin v. Frakes, 298 Neb. 381, 904 N.W.2d 667 (2017).

A-24-000256

In re Interest of Triton B.

By order of the Court Record Prep Date

By order of the Court; time for preparation for bill of exceptions re-established to June 13, 2024.

A-24-000256

In re Interest of Triton B.

Brief Date Re-established

Record preparation date having been re-established to June 13, 2024, Appellant's brief date extended to July 15, 2024.

A-24-000257

In re Interest of Hazelynn B.

By order of the Court re Record Prep Dt

By order of the Court; time for preparation for bill of exceptions re-established to June 13, 2024.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: May 1, 2024

Page:

3

A-24-000257

In re Interest of Hazelynn B.

Brief Date Re-established

Record preparation date having been re-established to June 13, 2024,
Appellant's brief date extended to July 15, 2024.

A-24-000275

Williams v. Williams

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). A motion to reconsider was filed on March 20, 2024, and no decision on said motion is contained in the record. A motion for reconsideration, if filed within 10 days of the entry of judgment, is the functional equivalent of a motion to alter or amend a judgment. State v. Bellamy, 264 Neb. 784, 652 N.W.2d 86 (2002). When a motion terminating the 30-day appeal period is filed, a notice of appeal filed before the court announces its decision upon the terminating motion has no effect and an appellate court acquires no jurisdiction. Id.

A-24-000279

State v. Todd Flodman

Order to Show Cause re Jurisdiction 5/9

Cause having been shown, case to proceed.

Supreme Court of Nebraska
Office of the Clerk

Minutes: May 1, 2024

Page:

1

S-23-000119

Midwest Management v. Sawyer

Stipulation of Parties to Continue OA

Stipulation to continue oral argument sustained. Case to be placed on the next Proposed Call of the Nebraska Supreme Court to occur on August 27, 28, and 29, 2024.

S-23-000751

Hauxwell v. Middle Republican Natural Resources District

Motion of Appellees to Continue

Motion of Appellees to continue oral argument sustained. Case to be placed on the next Proposed Call of the Nebraska Supreme Court to occur on August 27, 28, and 29, 2024.

S-23-000791

Hauxwell v. Middle Republican Natural Resources District

Motion of Appellees to Continue

Motion of Appellees to continue oral argument sustained. Case to be placed on the next Proposed Call of the Nebraska Supreme Court to occur on August 27, 28, and 29, 2024.

S-23-000951

Main St Properties v. City of Bellevue

Motion of Appellee to Extend Brief Date

Motion considered. By order of the Court, Appellee's FINAL brief date extended to June 7, 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).