

WEEKLY LIST OF CASES DISPOSED OF  
WITHOUT OPINION

No. A-07-490: **State v. Fitzgerald**. By order of the court, appeal dismissed for failure to file briefs.

No. A-07-491: **State v. Fitzgerald**. By order of the court, appeal dismissed for failure to file briefs.

No. A-07-492: **State v. Fitzgerald**. By order of the court, appeal dismissed for failure to file briefs.

No. A-07-493: **State v. Fitzgerald**. By order of the court, appeal dismissed for failure to file briefs.

No. A-07-544: **First Colony Life Ins. Co. v. Meeks**. Affirmed. See rule 7A(1).

No. A-07-573: **State v. Clayton**. Motion of appellee for summary affirmance sustained; judgment affirmed. See rule 7B(2).

No. A-07-595: **State v. Croft**. Motion of appellee for summary affirmance sustained; judgment affirmed. See, rule 7B(2); *State v. Brown*, 268 Neb. 943, 689 N.W.2d 347 (2004); *State v. Losinger*, 268 Neb. 660, 686 N.W.2d 582 (2004).

No. A-07-635: **Shepard v. Department of Corrections**. Summarily affirmed. See rule 7A(1).

No. A-07-691: **Sturek v. Sturek**. Affirmed. See, rule 7A(1); *Priest v. Priest*, 251 Neb. 76, 554 N.W.2d 792 (1996); *Thiltges v. Thiltges*, 247 Neb. 371, 527 N.W.2d 853 (1995).

No. A-07-790: **Blanchard v. Nebraska Pub. Power Dist.** Stipulation allowed; appeal dismissed with prejudice; each party to pay own costs.

No. A-07-872: **State v. Ross**. Motion of appellee for summary affirmance sustained. See *State v. York*, 273 Neb. 660, 731 N.W.2d 597 (2007).

No. A-07-908: **State v. Callahan**. Motion of appellee for summary affirmance sustained; judgment affirmed. See rule 7B(2).

No. A-07-934: **State v. Novak**. Summarily affirmed. See, rule 7A(1); *State v. McLeod*, 274 Neb. 566, 741 N.W.2d 664 (2007); *State v. Gass*, 269 Neb. 834, 697 N.W.2d 245 (2005); *State v. Drinkwalter*, 14 Neb. App. 944, 720 N.W.2d 415 (2006).

No. A-07-947: **Hoffman v. Hoffman**. Motion of appellant to dismiss appeal sustained; appeal dismissed.

No. A-07-1012: **State v. Wheeler**. Decision overruling defendant's motion to withdraw guilty plea is reversed, and cause is remanded for further proceedings. See *State v. Curnyn*, 202 Neb. 135, 274 N.W.2d 157 (1979).

No. A-07-1018: **State v. Coleman**. Motion of appellee for summary affirmance sustained; judgment affirmed. See, rule 7B(2); *State v. Thurman*, 273 Neb. 518, 730 N.W.2d 805 (2007); *State v. Decker*, 261 Neb. 382, 622 N.W.2d 903 (2001); *State v. Harrison*, 255 Neb. 990, 588 N.W.2d 556 (1999).

No. A-07-1059: **State ex rel. Wagner v. Sebring**. Motion of appellant to dismiss appeal sustained; appeal dismissed.

No. A-07-1061: **Community Bank v. Doubet**. Motion of appellant to dismiss appeal sustained; appeal dismissed at cost of appellant.

No. A-07-1070: **U.S. Bank, Nat. Assn. v. Drewes**. Appeal dismissed as filed out of time. See, rule 7A(2); Neb. Rev. Stat. § 25-1931 (Cum. Supp. 2006).

No. A-07-1086: **State v. Walsh**. Motion of appellee for summary affirmance sustained.

No. A-07-1101: **State v. Gill**. Motion of appellee for summary affirmance sustained; judgment affirmed. See rule 7B(2).

No. A-07-1120: **State v. Benoit**. Motion of appellee for summary affirmance sustained; judgment affirmed. See, rule 7B(2); *State v. Thurman*, 273 Neb. 518, 730 N.W.2d 805 (2007); *State v. Decker*, 261 Neb. 382, 622 N.W.2d 903 (2001); *State v. Harrison*, 255 Neb. 990, 588 N.W.2d 556 (1999).

No. A-07-1133: **Sutton v. Killham**. Appeal dismissed. See rule 7A(2).

No. A-07-1149: **Harper v. Houston**. Motion of appellee for summary affirmance sustained. See, rule 7B(2); *Kentucky Dept. of Corrections v. Thompson*, 490 U.S. 454, 109 S. Ct. 1904, 104 L. Ed. 2d 506 (1989); *Abdullah v. Gunter*, 242 Neb. 854, 497 N.W.2d 12 (1993).

No. A-07-1168: **State v. Carstens**. Motion of appellee for summary affirmance sustained; judgment affirmed. See, rule 7B(2); *State v. Thurman*, 273 Neb. 518, 730 N.W.2d 805 (2007); *State v. Decker*, 261 Neb. 382, 622 N.W.2d 903 (2001); *State v. Harrison*, 255 Neb. 990, 588 N.W.2d 556 (1999).

No. A-07-1170: **State v. Robb**. Motion of appellant to dismiss appeal sustained; appeal dismissed with prejudice.

No. A-07-1193: **U.S. Bank, Nat. Assn. v. Drewes**. Appeal dismissed as filed out of time. See, rule 7A(2); Neb. Rev. Stat. § 25-1931 (Cum. Supp. 2006).

No. A-07-1329: **Exchange Bank v. Fletcher**. By order of the court, appeal dismissed for failure to file briefs.

No. A-08-011: **State v. Baldwin**. Motion of appellee for summary affirmance sustained; judgment affirmed. See rule 7B(2).

No. A-08-022: **State v. Kelley**. Motion of appellant for rehearing sustained. Appeal reinstated.

No. A-08-064: **Eisert v. Neth**. Motion of appellant to dismiss appeal sustained; appeal dismissed at cost of appellant.

No. A-08-091: **State v. Church**. Motion of appellant to dismiss appeal sustained; appeal dismissed.

No. A-08-097: **Whelan v. Whelan**. Stipulation allowed; appeal dismissed at cost of appellant.

No. A-08-219: **Wise v. Whitted**. Stipulation allowed; appeal dismissed.

No. A-08-223: **Tyler v. Roe**. Reversed.

No. A-08-229: **State v. Hernandez**. Appeal dismissed. See, rule 7A(2); Neb. Rev. Stat. § 25-1912 (Cum. Supp. 2006).

No. A-08-236: **Smith v. Board of Regents**. Appeal dismissed. See, rule 7A(2); Neb. Rev. Stat. § 25-1315 (Cum. Supp. 2006); *Cerny v. Todco Barricade Co.*, 273 Neb. 800, 733 N.W.2d 877 (2007).

No. A-08-253: **State v. Siefker**. Appeal dismissed. See, rule 7A(2); Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2006).

No. A-08-255: **In re Guardianship & Conservatorship of Warriner**. Motion of appellant to dismiss appeal sustained; appeal dismissed.