

Court of Appeals of Nebraska
Office of the Clerk

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A-23-000446

Barsell v. Rasmussen

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 April Review Docket of the Nebraska Court of Appeals.

A-23-000799

Newsome v. Jensen Tire & Auto

ROD Mot Appe Summary Dismissal/Affirmance

Appellee's motion for summary affirmance is granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Where the assignments of error consist of headings or subparts of arguments and are not within a designated assignments of error section, an appellate court may proceed as though the party failed to file a brief, providing no review at all, or, alternatively, may examine the proceedings for plain error. Mathiesen v. Kellogg, 315 Neb. 840, 1 N.W.3d 888 (2024). Having elected to review the record of the district court for plain error and finding none, we summarily affirm.

A-23-000903

State v. Adan Villanueva

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-23-001051

State v. Anthony J Labrillo

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to April 29, 2024. No further extensions will be allowed except upon a showing of exceptional cause. See Neb. Ct. R. App. P. § 2-106(E)(3).

A-24-000002

State v. Lance V Allen

ROD By order of the Court re Dismissal

Pursuant to the court's prior order of March 14, 2024, appeal dismissed for failure to file briefs; mandate to issue accordingly.

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 April 22, 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).

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A-24-000119

State v. Brandon L Blacketer

ROD

Motion of Appellant to Dismiss Appeal

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

A-24-000190

In re Interest of Millie K.

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). The order terminating parental rights was filed on January 26, 2024, and the notice of appeal was filed 32 days later, on February 27, 2024; therefore, the appeal is untimely. See Neb. Rev. Stat. § 25-1912 (Cum. Supp. 2022) (notice of appeal must be filed within 30 days of order appealed from).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-24-000182

Coe v. Johnson

Order to Show Cause Late BOE Request

A-24-000202

State v. Donald G Bonar

Order to Show Cause Late BOE Request

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S-23-000062

McKay v. Bartels

ROD

Submission to Court

Affirmed. Heavican, Chief Justice.

S-23-000147

State v. Hope T Npimnee

Post-Mandate Motion for Rehearing

Appellant's motion for leave to file motion for rehearing out of time is overruled.

S-23-000147

State v. Hope T Npimnee

Post-Mandate Mot Appt to Proceed Pro Se

Motion of Appellant to proceed pro se is overruled as moot.

S-23-000490

Simpson v. Lincoln Public Schools

ROD

Submission to Court

Reversed and remanded with directions. Cassel, Justice.

S-23-000506

State v. Marcus Brown

Mot of Appe to Approve Senior Certified

Motion of appellee to allow Emily Doll, to participate in oral argument as senior certified law student is sustained.

S-23-000940

Main St Properties LLC v. City of Bellevue

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to April 22, 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).

S-23-000951

Main St Properties v. City of Bellevue

Motion of Appellant to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to April 22, 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).

S-24-000200

State v. Stephen M Pullens

Motion Appellant Leave to File BOE

Appellant's motion for leave to file Request for Bill of Exceptions out of time is sustained.