

Court of Appeals of Nebraska
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A-25-000276

State v. Ruth E Smith

ROD

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). See, State v. Lowman, 308 Neb. 482, 954 N.W.2d 905 (2021) (where there has been a pretrial ruling regarding the admissibility of evidence, a party must make a specific and timely objection to the evidence when it is offered at trial in order to preserve any error for appellate review); State v. Johnson, 314 Neb. 20, 988 N.W.2d 159 (2023) (when issue raised for first time in appellate court, it will be disregarded inasmuch as lower court cannot commit error in resolving an issue never presented and submitted for disposition); State v. German, 316 Neb. 841, 7 N.W.3d 206 (2024) (claim of ineffective assistance of counsel not alleged with sufficient particularity and is not properly presented for appellate review).

A-25-000460

State v. Dilan A Guzman Fontes

ROD

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). A sentencing court is not required to articulate on the record that it has considered each sentencing factor nor to make specific findings as to the facts pertaining to the factors or the weight given them. See State v. Greer, 309 Neb. 667, 962 N.W.2d 217 (2021). Sentence imposed did not constitute an abuse of discretion. See State v. Jones, 318 Neb. 840, 19 N.W.3d 499 (2025) (absent abuse of discretion by trial court, appellate court will not disturb sentence imposed within statutory limits).

A-25-000609

State v. Khalid A Muhammad

By order of the Court Rescind Default

By order of the Court, default notice issued to Appellant on November 13, 2025, sent in error. Said default notice is hereby rescinded.

A-25-000615

Hjetland v. Schmidt

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to November 24, 2025.

A-25-000671

In re Interest of Payzlie B.

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 17, 2025.

A-25-000684

State v. Joshua J Carpenter

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to December 15, 2025.

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A-25-000754

Carter v. Deepe

ROD

OSC by 11/10/25 re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). A document was filed in response to this court's order to show cause requesting a supplemental transcript containing a copy of the decision or order issued by the City of Deshler that Appellant sought to challenge in the district court. That document contains a copy of the Deshler City Council Proceedings dated October 1, 2024. Appellant filed his action in the district court on March 4, 2025. Therefore, the district court correctly found that Appellant's appeal was not timely and the court had no jurisdiction over the matter. See, Main St Properties v. City of Bellevue, 318 Neb. 116, 13 N.W.2d 911 (2024) (board or tribunal exercises judicial function if it decides dispute or adjudicative fact or if statute requires it to act in judicial manner); Meints v. City of Beatrice, 20 Neb. App. 129, 820 N.W.2d 90 (2012) (party seeking judicial review of administrative determination must comply with petition in error prerequisites when review sought is of final order made by tribunal, board, or officer exercising judicial functions; board exercises judicial function when determining property constitutes public nuisance); Neb. Rev. Stat. § 25-1931 (Reissue 2016) (petition in error must be brought within 30 days of decision sought to be challenged).

A-25-000854

In re Estate of Carter

By Order of the Court re BOE Prep Date

Trial court having failed to send the request for preparation of bill of exceptions to the appellate court with the notice of appeal, record preparation date established to be January 6, 2026.

A-25-000854

In re Estate of Carter

Appellant's Brief Date Re-Established

Record preparation date having been established to be January 6, 2026, Appellant's brief date re-established to February 5, 2026.

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S-24-000809

State v. Jeffrey S Adams

ROD Submission to Court

Affirmed as modified. Cassel, Justice. Bergevin, Justice, not participating. Mellor, District Judge, sitting.

S-24-000946

Egri v. Otoe County School District 111

Stipulation to Continue Oral Argument

Stipulation to continue oral argument sustained. Case removed from the January Proposed Call and placed on the February proposed Call of the Nebraska Supreme Court to occur on February 3, 4 and 5, 2026.

S-25-000021

State v. Schuyler D. Dawn, Jr.

ROD Submission to Court

Affirmed. Funke, Chief Justice. Freudenberg, Justice, not participating. Cassel, Justice, concurring. Papik, Justice, concurring in part and concurring in the judgment. Miller-Lerman, Justice, joins in this concurrence.

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S-24-000564

Kellogg v. Mathiesen

Replacement Appt Mot for Rehearing Brief

Brief in support of motion for rehearing filed by Appellant on November 10, 2025, exceeds the word limit requirements as set forth in Neb. Ct. R. App. P. § 2-103(C)(3)(b). Said brief in support is hereby stricken and Appellant is ordered to file a replacement brief in compliance with court rule within five days of this order.

S-24-000665

Kellogg v. Mathiesen

Replacement Appt Mot for Rehearing Brief

Brief in support of motion for rehearing filed by Appellant on November 10, 2025, exceeds the word limit requirements as set forth in Neb. Ct. R. App. P. § 2-103(C)(3)(b). Said brief in support is hereby stricken and Appellant is ordered to file a replacement brief in compliance with court rule within five days of this order.