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A-24-000505

Connot v. Connot

Motion of Appellee for Attorney Fees

Appellee's motion for attorney fees with regard to the response to the petition for further review is granted, in part, in the amount of \$1,452.

A-24-000872

In re Interest of Mattie C.

ROD Petition of Appellee for Further Review

Petition of Appellee/Cross-Appellant for further review denied.

A-24-000959

Hatfield v. Arrowsmith

Motion Appellees Continue Oral Argument

Case having been submitted without oral argument, motion of Appellees to continue oral argument overruled as moot.

A-24-000959

Hatfield v. Arrowsmith

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 December Review Docket of the Nebraska Court of Appeals.

A-25-000005

von Kuhn v. Gavilon Agriculture Investment, Inv.

ROD Petition of Appellant for Further Review

Petition of Appellant for further review denied.

A-25-000271

In re Interest of Elijah W.

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 December Review Docket of the Nebraska Court of Appeals.

A-25-000271

In re Interest of Elijah W.

Joint Motion to Waive Oral Argument

Case having been submitted without oral argument, joint motion to continue oral argument overruled as moot.

A-25-000378

State v. Ibrahim M Darmisleh

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). Appellant's no contest plea waived every defense to the charge against him except for insufficiency of the information, ineffective assistance of counsel claims, and lack of jurisdiction claims. See State v. Manjikian, 303 Neb. 100, 937 N.W.2d 48 (2019). The denial of his motion to suppress does not fall within one of the exceptions and, as such, Appellant has waived his right to

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challenge this issue on appeal. The sentence imposed was within the statutory limits and 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-25-000472

Npimnee v. Jeffreys

ROD Mot. of Appellee for Summary Affirmance
Motion of Appellee for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is granted. District court properly denied petition for writ of habeas corpus and request to proceed IFP and did not err by failing to appoint counsel on habeas corpus proceeding. See, *Sanders v. Frakes*, 295 Neb. 374, 888 N.W.2d 514 (2016) (where court has jurisdiction of parties and subject matter, its judgment is not subject to collateral attack; writ of habeas corpus will not lie to discharge person from sentence of penal servitude where court imposing sentence had jurisdiction of offense, person of defendant, and sentence was within power of court to impose); Neb. Rev. Stat. § 25-2301.02 (Reissue 2016) (court may deny IFP status if application asserts frivolous legal positions); *State v. Victor*, 242 Neb. 306, 494 N.W.2d 565 (1993) (general rule is that there is no right to counsel in state collateral proceedings).

A-25-000474

State v. Auston K Dormer

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is sustained; judgment affirmed. Appellant's sentences are within the statutory range and there was no abuse of discretion by the trial court. See, *State v. Rivera Meister*, 318 Neb. 164, 14 N.W.3d 1 (2024) (no abuse of discretion in sentence imposed when review of record shows sentencing court considered all relevant sentencing factors and did not consider any inappropriate factors); *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-25-000535

State v. Kelly R Kvamme

Motion of Appellee to Extend Brief Date
Motion considered; Appellee's brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-25-000547

State v. Earl Mitchell Jr

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance is granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Allegations of ineffective assistance which are affirmatively refuted by a defendant's assurances to the sentencing court do not constitute a basis for relief. See *State v. Vanderpool*, 286 Neb. 111, 835 N.W.2d 52 (2013); see also *State v. Blaha*, 303 Neb. 415, 929 N.W.2d 494 (2019) (finding defendant's claim that his counsel promised him particular sentence refuted by his statement to court

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that he was not promised anything in exchange for his plea).

A-25-000572

Nero v. Nero

Mot Appe Strike Appt Brief & Dism Appeal

Appellee's motion to strike Appellant's brief and to dismiss appeal overruled. Appellee's brief date extended to December 22, 2025.

A-25-000577

State v. Gray

ROD

Mot of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Geller, 318 Neb. 441, 16 N.W.3d 365 (2025) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court); State v. Baxter, 295 Neb. 496, 88 N.W.2d 726 (2017) (decision to withhold probation not an abuse of discretion). See, also, State v. Lara, 315 Neb. 856, 2 N.W.3d 1 (2024) (sentencing court has broad discretion regarding source and type of evidence and information to use when determining sentence, and evidence may be presented regarding any matter court deems relevant), cert. denied ___ U.S. ___, 144 S. Ct. 2608, 219 L. Ed. 2d 1256.

A-25-000614

State v. Fredy Cruz

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Geller, 318 Neb. 441, 16 N.W.2d 365 (2025) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-25-000637

Wells v. Tschacher

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 8, 2025.

A-25-000645

Ortega Larios v. Scholl

Mot Appt to Compel Trial Court

Appellant's motion to compel denied. Contrary to Attorney Daniel C. Martin's assertion that trial counsel 'having filed no appellate documents in this case to date,' trial counsel's name and electronic signature appear on all appeal documents filed August 22, 2025, including the praecipe for the bill of exceptions. Additionally, see Neb. Ct. R. App. P. 2-101(F)(2) and (3) regarding attorneys of record and substitution of counsel. Estimate for bill of exceptions was sent to Attorney Pesek, the lead trial counsel in this case, who practices in the same firm as Attorney Martin.

A-25-000675

State v. Delana Locke

Appellant's Replacement Brief Due

Pursuant to Neb. Ct. R. App. P. § 2-109(F), original brief of

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Appellant filed on November 21, 2025, is stricken. Replacement brief ordered and limited to correction of the following deficiencies: Neb. Ct. R. App. P. § 2-109(D)(1)(g) regarding no annotations to the record in the Statement of Facts. Failure of Appellant to file a timely replacement brief in compliance with this order shall subject Appellant to the issuance of a default notice. See Neb. Ct. R. App. P. § 2-110(A).

A-25-000707

State v. Ricky J Ramirez

Motion of Appellee to Extend Brief Date

Motion considered; Appellee's brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-25-000769

State v. Austin J Meyn

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to January 2, 2026.

A-25-000770

State v. Austin J Meyn

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to January 2, 2026.

A-25-000827

Runnels v. Greenwood

Mot. of Appellee for Summary Dismissal

Appellee's motion for summary dismissal overruled as moot.

A-25-000827

Runnels v. Greenwood

ROD Misc. Submission to Court: Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's notice of appeal was not filed within 30 days of the district court's orders of September 30, 2025. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-25-000840

Wiley v. Innovative Homes & Design Inc

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). The district court's order of October 16, 2025, does not resolve all of the claims of all the parties. In the absence of an express determination that there is no just reason for delay upon an express direction for the entry of judgment, orders adjudicating fewer than all claims or the rights of fewer than all the parties are not final. See Neb. Rev. Stat. § 25-1315(1)(Reissue 2016); Clason v. LOL Investments, 308 Neb. 904, 957 N.W.2d 877 (2021). Furthermore, the district court has not yet signed a "single written document," as now specified in Neb. Rev. Stat. § 25-1301(2) (Cum. Supp. 2024), constituting the final determination of the rights of the parties and stating all the relief granted or denied in the action. It therefore

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has not yet rendered judgment. See D&M Roofing & Siding v.
Distribution, Inc., 316 Neb. 952, 7 N.W.3d 868 (2024).

A-25-000843

State v. Devin L Thompson

ROD

Misc Submission to Court re Jurisdiction
Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P.
§ 2-107(A)(1). Appellant's notice of appeal was not filed within 30
days of the district court's sentencing order entered October 6, 2025.
See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

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S-24-000664

State v. Raymond Mata, Jr

Mot Admiss Pro Hac Vice Bacchi

Motion for admission of Celeste Bacchi as counsel pro hac vice sustained.

S-25-000346

State v. Bernard D Long

Motion of Appellee to Extend Brief Date

Motion considered; Appellee's brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

S-25-000504

State v. Matthew D Pavey

Ruling Reserved Appt Cnsl Von Loh to W/D

Motion to withdraw as counsel by attorney Darik J. Von Loh considered and held under advisement. Attorney Von Loh directed to file for withdrawal as counsel, and if appropriate, for appointment of replacement counsel, with the trial court. Upon supplementation of the appellate record showing the trial court order ruling on attorney Von Loh's motion to withdraw as counsel, attorney Von Loh's motion to withdraw as counsel filed in this court will be reconsidered.

S-25-000543

State v. Anthony L Burries

Motion Appellee to Extend Brief Date

Motion considered; Appellee's brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

S-25-000646

State v. Michael E McLemore

Motion Appellant for Appt of Counsel

Motion of Appellant for appointed counsel overruled without prejudice to seeking relief in the trial court.