

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000312

State v. Timothy Jacob

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 March Review Docket of the Nebraska Court of Appeals.

A-25-000381

Meisenbach v. Teusink

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 complaint asserted claims as to Matthew Teusink, M.D. and Nebraska Medicine. He voluntarily dismissed the claim as to Nebraska Medicine in 2024. Although the district court granted summary judgment in favor of Matthew Teusink, it has not 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 has not yet rendered judgment. See D&M Roofing & Siding v. Distribution, Inc., 316 Neb. 952, 7 N.W.3d 868 (2024). See also WRK v. Wiegert, 320 Neb. 822, ___ N.W.3d ___ (2026) (jurisdiction cannot be created by voluntary dismissal without prejudice).

A-25-000557

State v. Jacob W Left Hand

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 March Review Docket of the Nebraska Court of Appeals.

A-25-000604

State v. Juan D.

By order of the Court re Oral Argument

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1).

A-25-000708

State v. Joseph C Boeggeman

Motion Appe to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to March 23, 2026.

A-25-000793

State v. Zechariah H.

By order of the Court re Oral Argument

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1).

A-25-000812

Perez v. Packers Sanitation Services. INC., LTD

Motion Appe to Extend Brief Date

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

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extended to March 20, 2026.

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A-25-000855

State v. Bernard J Spencer

Motion of Appt to Ext Replace Brf Date

Appellant's motion for brief date extension denied. Appellant's replacement brief was filed on January 29, 2026, and no order for replacement brief is pending.

A-25-000862

State v. Suni R Moone

Motion Appt to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to April 3, 2026.

A-25-000863

State v. Suni R Moone

Motion Appt to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to April 3, 2026.

A-25-000864

State v. Suni R Moone

Motion Appt to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to April 3, 2026.

A-25-000865

State v. Suni R Moone

Motion Appt to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to April 3, 2026.

A-25-000991

In re Interest of Jermiyas R.

Neb. Ct. R. App. P. §2-105(C)(5) Notice

Replacement bill of exceptions was due February 17, 2026. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the replacement bill of exceptions by the due date or a request by court reporting personnel for an extension of time to prepare the same.

A-26-000010

Elbert v Keating O'Gara Nedved and Peter

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 December 9, 2025, observed that the counterclaim and its request for attorney fees had been voluntarily dismissed. However, the court did not dismiss those claims. "A final, appealable judgment is one that disposes of the case by dismissing it either before hearing is had upon the merits or after trial by rendition of judgment for the plaintiff or defendant. Dismissal means there is no longer an action pending before the trial court and it lacks jurisdiction to make further orders except to

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formalize the dismissal. It is only when the court enters an order of dismissal that the proceedings brought before the court by one party against another and filed under a particular case number come to an end." D&M Roofing & Siding v. Distribution, Inc., 316 Neb. 952, 971-72, 7 N.W.3d 868, 883 (2024). Appellate jurisdiction cannot be created by voluntarily dismissing, without prejudice, claims on which the court has not yet ruled. WRK v. Wiegert, 320 Neb. 322, ___ N.W.2d ___ (2026).

A-26-000010

Elbert v Keating O'Gara Nedved and Peter
Order Show Cause re Leave Req Supp BOE
This Court's order to show cause issued on January 29, 2026, is withdrawn as moot. The matter has been dismissed for lack of jurisdiction.

A-26-000076

State v. Michael E. Cherry
Application-Error Proceedings
State's application for leave to docket error proceeding is granted. State shall proceed to obtain review of the case in accordance with Neb. Rev. Stat. § 29-2315.01 (Cum. Supp. 2024) and Neb. Rev. Stat. § 25-1912 (Cum. Supp. 2024) (notice of appeal and docket fee must be filed within 30 days).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000013

Parrish v. Parrish
Order to Show Cause re Late BOE Request

A-26-000097

Cyza v. Cyza
Order to Show Cause re Late Req for BOE

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S-25-000523

State v. Danny R Robinson Jr

Motion of Appt for Leave to File Rep Brf

Motion of Appellant to file replacement brief overruled.

IN THE NEBRASKA COURT OF APPEALS

FILED
FEB 19 2026
NEBRASKA SUPREME COURT
COURT APPEALS

John J. Cyza,)
Appellant,)
)
v.)
)
Kathleen R. Cyza,)
Appellee.)

No. A-26-0097

ORDER TO SHOW CAUSE

Appellant John J. Cyza appeals from a modification order entered by the Polk County District Court. Appellant timely filed a notice of appeal on February 11, 2026, but did not file a request for the preparation of the bill of exceptions at that time. On February 12, Appellant filed a request for an extension to file a request for the preparation of the bill of exceptions indicating that she had been recently retained and did not have time to request the bill of exceptions; however, we note that counsel filed the notice of appeal.

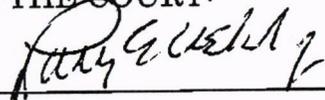
Pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(a):

Request by Appellant. Appellant shall file a request to prepare a bill of exceptions in the office of the clerk of the court from which the appeal is taken at the same time the notice of appeal is filed. Failure to file such request at the same time the notice of appeal is filed shall be deemed as a waiver of appellant of the right to request a bill of exceptions, unless pursuant to subsection (f) below the appellate court grants appellant leave to request a bill of exceptions out of time.

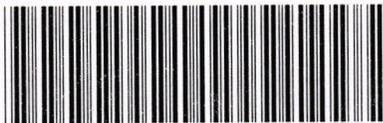
And pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f), late requests for the preparation of the bill of exceptions may not be filed "without leave of the appellate court for good cause shown, which cause shall not be within a party's reasonable control." Appellant has not alleged good cause for failing to file the request for bill of exceptions. Having failed to allege good cause, Appellant is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no request has been made.

Dated this 19th day of February, 2026.

BY THE COURT:



Lawrence E. Welch, Judge



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IN THE NEBRASKA COURT OF APPEALS

FILED
FEB 19 2026
NEBRASKA SUPREME COURT
COURT APPEALS

Gregory A. Parrish,)
Appellee,)

No. A-26-0013

v.)

ORDER TO SHOW CAUSE

Angelica Y. Parrish, also known as)
Angelica Y. Marsaglia,)
Appellant.

The Appellant has appealed from the Lancaster County District Court's December 31, 2025, amended order of modification of the parties' child custody arrangement. Appellant timely filed a notice of appeal, request for transcript, and request for bill of exceptions on January 5, 2026. In the initial request for bill of exceptions, Appellant requested that the preparation of a record of the trial proceedings; continuations, show cause, and contempt hearings; and hearings related to custody, parenting time, discovery, and modification held between January 1, 2024, through December 31, 2025.

On January 8, 2026, the district court clerk issued a certification of no record in connection with the requested hearing dates. On January 8, Appellant filed an amended request for bill of exceptions without leave of this court, requesting that a bill of exceptions be prepared for proceedings including a July 16, 2024 hearing, September 24, 2024 hearing, a November 15, 2024 hearing, a January 10, 2025 hearing, a February 11, 2025 hearing, the May 23-25, 2025 trial, and an August 25, 2025 trial. The amended request was permitted to stand and the district court clerk was permitted to prepare the bill of exceptions.

On January 29, 2026, Appellant filed an amended praecipe for bill of exceptions requesting an additional August 7, 2025, hearing date. On February 12, Appellant filed a second amended praecipe for bill of exceptions requesting the same hearing dates in both her amended requests.

Pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f), late requests for the preparation of the bill of exceptions may not be filed "without leave of the appellate court for good cause shown, which cause shall not be within a party's reasonable control." The Appellant has not requested leave of this court or alleged good cause to file a second amended request for bill of exceptions.



Appellant, having failed to request, and receive, leave of this court to file a second amended request for bill of exceptions is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no request for a second amended bill of exceptions had been requested.

Dated this 19th day of February, 2026.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Lawrence E. Welch", is written over a horizontal line.

Lawrence E. Welch, Judge