

Court of Appeals of Nebraska  
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A-25-000386

State v. Wah K Say

Ruling reserved re Motion to Withdraw  
Motion to withdraw filed by counsel for Appellant, Joseph L. Howard, taken under advisement subject to counsel filing motion with trial court to obtain replacement counsel, supplementing motion with such order, and supplementing motion to show compliance with Neb. Ct. R. App. P. § 2-106(F), certifying that a copy of such motion has been sent to the client's last-known address, which address shall be included in the motion. Compliance shall be provided to the Court within seven days of this notice.

A-25-000680

State v. Roger L Marsh

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 June Review Docket of the Nebraska Court of Appeals.

A-25-000680

State v. Roger L Marsh

Motion of Appellant to Waive OA  
Case having been submitted without oral argument; motion of Appellant to waive oral argument overruled as moot.

A-25-000713

Npimnee v. Freeman

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 June Review Docket of the Nebraska Court of Appeals.

A-25-000807

State obo Azaylia S v. Belitz

Pet. Appt to Bypass Court of Appeals  
Petition of Appellant to bypass the Court of Appeals denied.

A-25-000932

State obo Azaylia S. v. Lori B.

Pet. Appt to Bypass Court of Appeals  
Petition of Appellant to bypass the Court of Appeals denied.

A-25-000956

State v. Dammon T Haynes

Motion Appt to Consolidate Reply Briefs  
Motion of Appellant to consolidate 25-0956 and 25-0957 overruled as matters were consolidated in the court's April 22, 2026 order.

A-25-000957

State v. Dammon T Haynes

Motion Appt to Consolidate Reply Briefs  
Motion of Appellant to consolidate 25-0956 and 25-0957 overruled as matters were consolidated in the court's April 22, 2026 order.

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A-25-000956

State v. Dammon T Haynes

Motion to Extend Reply Brief Date

Motion of Appellant sustained; Appellant's reply brief date extended to June 8, 2026.

A-25-000957

State v. Dammon T Haynes

Motion to Extend Reply Brief Date

Motion of Appellant sustained; Appellant's reply brief date extended to June 8, 2026.

A-25-000975

Kapanadze v. Thacker

Praeceptum for Bill of Exceptions

Pursuant to Neb. Ct. R. App. P. § 2-105(G)(3), record from a record contest under § 2-105(G)(2) is limited to the order of the trial court transmitted by supplemental transcript to the Clerk. Request of Appellant for preparation of a supplemental bill of exceptions denied.

A-25-000975

Kapanadze v. Thacker

Motion to Clarify and provide guidance

Motion of Appellant to note district court's order and request for clarification considered. The Court received the trial court's order through supplemental transcript following the Neb. Ct. R. App. P. §§ 2-105(G) hearing as required by Rule 2-105(G)(3). All other relief requested in this motion is overruled. The appellate court cannot make determinations as to the accuracy or completeness of the trial court record. Hearing having been held in the district court pursuant to this court's April 23, 2026, order, and the appellate court having received the trial court's order governing the accuracy of the appellate record, that record is the official record for the appeal, no further action is necessary.

A-25-000975

Kapanadze v. Thacker

Motion to expedite order and clarify

Motion of Appellant motion to expedite appellate order overruled. The district court was acting as an intermediate appellate court from an appeal of the decision from county court. An appellate court cannot review a record that was not also considered by the court from which an appeal is taken. Any modification to the county court's record should have been addressed prior to the issuance of the district court's order on appeal. In this case, no modification of the county court record occurred prior to consideration by the district court. Therefore, no modification of the county court record can occur at this stage of the appeal process.

A-26-000053

State v. Danny D Sutton Jr.

Motion of Appellee 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 July 17, 2026.

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A-26-000057

Plagge v. Plagge

Motion of Appellee for Attorney Fees

Motion of Appellee for attorney fees is sustained. Appellant is ordered to pay Appellee's attorney fees and costs on appeal in the amount of \$1,089.75.

A-26-000088

State v. Jason Cast

Motion of Appellee to Extend Brief Date

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

A-26-000090

In re Interest of Ezmae S.

Motion of Appellant to Extend Brief Date

Motion of Appellant for brief date extension sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to June 26, 2026. No further extensions will be allowed.

A-26-000111

Wiley v. Innovative Homes & Design Inc

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to June 11, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000111

Wiley v. Innovative Homes & Design Inc

Appellant Brief Date Extended

Record preparation date having been re-established due to forwarding of the appellate record after the time period allowed under Neb. Ct. R. App. P. § 2-101(B), Appellant's brief due date is re-established as July 13, 2026.

A-26-000122

State v. Gabrielle M Williams

Motion of Appellant to Extend Brief Date

Motion of Appellant for brief date extension sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to June 26, 2026. No further extensions will be allowed.

A-26-000123

State v. Gabrielle M Williams

Motion of Appellant to Extend Brief Date

Motion of Appellant for brief date extension sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to June 26, 2026. No further extensions will be allowed.

A-26-000124

State v. Gabrielle M Williams

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Motion of Appellant to Extend Brief Date  
Motion of Appellant for brief date extension sustained. Pursuant to  
Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to  
June 26, 2026. No further extensions will be allowed.

A-26-000125

State v. Gabrielle M Williams

Motion of Appellant to Extend Brief Date  
Motion of Appellant for brief date extension sustained. Pursuant to  
Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to  
June 26, 2026. No further extensions will be allowed.

A-26-000164

In re Interest of Brooklyn K.

Motion of Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date  
extended to June 29, 2026.

A-26-000165

In re Interest of Troy K.

Motion of Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date  
extended to June 29, 2026.

A-26-000166

In re Interest of Gabriel K.

Motion of Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date  
extended to June 29, 2026.

A-26-000167

In re Interest of Jaylynn L.

Motion of Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date  
extended to June 29, 2026.

A-26-000168

In re Interest of William K.

Motion of Appellant to Extend Brief Date  
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date  
extended to June 29, 2026.

A-26-000190

Tan v. Jensen

ROD Motion of Appellant to Dismiss Appeal  
Motion of Appellant to dismiss appeal sustained; appeal dismissed;  
mandate to issue accordingly.

A-26-000197

Martinez v. Martinez

Request to Extend Bill Exceptions  
Request of court reporting personnel for extension to prepare the bill  
of exceptions granted; time for preparation of bill of exceptions  
extended to June 8, 2026; trial court clerk to notify court

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reporting personnel of the extension.

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A-26-000197

Martinez v. Martinez

Appellant's Brief Date Extended

Record preparation date having been re-established due to forwarding of the appellate record after the time period allowed under Neb. Ct. R. App. P. § 2-101(B), Appellant's brief due date is re-established as July 8, 2026.

A-26-000239

In re Interest of Rozlynn M.

Order to Show Cause Late BOE Request

Motion of Appellee for leave to request supplemental bill of exceptions sustained; praecipe of Appellee for supplemental bill of exceptions filed on May 15, 2026, accepted. Time for preparation of bill of exceptions extended to June 10, 2026. Trial court clerk to notify court reporting personnel of the extended due date.

A-26-000239

In re Interest of Rozlynn M.

Appellant's Brief Date Extended

Record preparation date having been re-established due to request by Appellee for supplemental bill of exceptions, Appellant's brief date extended to July 10, 2026.

A-26-000239

In re Interest of Rozlynn M.

Praecipe for Bill of Exceptions

Motion of Appellant filed May 21, 2026, to supplement the record overruled as moot as the February 26, 2026, court order is already included in the transcript on file.

A-26-000296

Peak-Barfield v. Peak

Order to Show Cause re Leave for BOE

Appellant having failed to respond to Court's order to show cause, matters will proceed as if no bill of exceptions was requested. See Neb. Ct. R. App. P. § 2-105(B)(4)(c). Requests for bills of exceptions filed April 29, 2026 and May 15, 2026, denied as untimely.

A-26-000297

Peak-Barfield v. Peak

Order to Show Cause re Leave for BOE

Appellant having failed to respond to Court's order to show cause, matters will proceed as if no bill of exceptions was requested. See Neb. Ct. R. App. P. § 2-105(B)(4)(c). Requests for bills of exceptions filed April 29, 2026 and May 15, 2026, denied as untimely.

A-26-000298

Peak v. Abram-Young

Order to Show Cause re Leave for BOE

Appellant having failed to respond to Court's order to show cause, matters will proceed as if no bill of exceptions was requested. See

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Neb. Ct. R. App. P. § 2-105(B)(4)(c). Requests for bills of exceptions filed April 29, 2026 and May 15, 2026, denied as untimely.

A-26-000310

State v. Brandon M Cox

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

Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received the bill of exceptions by the due date, certification of no record by the clerk or court reporting personnel, or a request by court reporting personnel for an extension of time to prepare the bill of exceptions. Bill of exceptions preparation date was previously extended to May 21, 2026

A-26-000324

Schimek v. Pillen

Motion to Withdraw -Huxoll for Appellee

Motion of counsel for Appellees to withdraw, is sustained. Jennifer A. Huxoll allowed to withdraw as counsel for Appellees.

A-26-000350

Siebler v. Corsi

Motion to Withdraw -Huxoll for Appellee

Motion of counsel for Appellees to withdraw, is sustained. Jennifer A. Huxoll allowed to withdraw as counsel for Appellees.

A-26-000355

State Obo IZIAHA G. v. Pedro G.

Motion Appt Compel Unified Transcript

Motion of Appellant to compel transmission of a complete and properly paginated supplemental transcript overruled.

A-26-000386

State v. Cameron D May

Praecipe for Bill of Exceptions

Amended praecipe for bill of exceptions filed with trial court on May 14, 2026, accepted as correction of scrivener's error. Preparation of bill of exceptions may proceed.

A-26-000402

State v. Zachary K Cover

Motion to Withdraw - Stageman for Appt

Motion of counsel for Appellant to withdraw, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained. Michael L Stageman allowed to withdraw as counsel for Appellant.

A-26-000407

State v. Stacy A Glammeier

Ruling Reserved re Motion to Withdraw

Motion to withdraw filed by counsel for Appellant, Cole Burnmeister, taken under advisement pending the filing a motion for an appointment of replacement counsel with the trial court, supplementing their motion to show service in compliance with the Neb. Ct. R. App. P. 2-106(F), certifying that a copy of such motion has been sent to client's last-known address, which address shall be included in the

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motion, and providing the order appointing new counsel to the appellate court when ordered.

A-26-000409

Andersen v. Metropolitan Utilities District of Omaha  
Motion Appt Leave file Request for BOE  
Motion of Appellant for leave to request bill of exceptions out of time sustained; praecipe for bill of exceptions filed May 20, 2026, accepted. Time for preparation of bill of exceptions extended to July 8, 2026. Trial court to notify court reporting personnel of the extended due date.

A-26-000409

Andersen v. Metropolitan Utilities District of Omaha  
Appellant's Brief Date Extended  
Record preparation date having been extended due to Appellant's late request for bill of exceptions, Appellant's brief date extended to August 7, 2026.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000317

State v. Timothy W Ford  
Order to Show Cause re Late BOE Request

**FILED**

**MAY 27 2026**

IN THE NEBRASKA COURT OF APPEALS

NEBRASKA SUPREME COURT  
COURT APPEALS

State of Nebraska,  
Appellee,

No. A-26-0317

v.

Timothy W. Ford,  
Appellant.

**ORDER TO SHOW CAUSE**

Appellant timely appealed from his conviction and sentence in the Douglas County District Court. On April 21, 2026, Appellant, who was pro se, timely filed a notice of appeal, but did not file a request for bill of exceptions at that time. On April 23, 2026, Appellant, having been appointed appellate counsel, filed a request for a bill of exceptions without leave of this court.

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 requested leave of this court or alleged good cause for the failure to file a timely request for bill of exceptions.

Appellant, having failed to request leave of this court or allege good cause for this failure is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no request for a bill of exceptions has been made.

Dated this 27th day of May, 2026.

BY THE COURT:

  
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Lawrence E. Welch, Judge



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S-25-000699

State ex rel. Counsel for Discipline v. McCarty  
Judgment for Costs  
Judgment for costs, see order.

S-25-000798

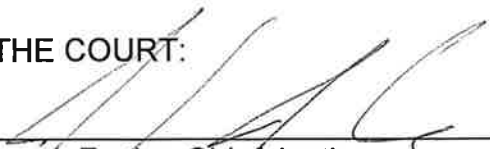
Seldin Company, LLC v. Tucker  
Case ordered moved to Sup. Ct. docket  
By order of the Nebraska Supreme Court, case moved from the Court of  
Appeals docket to the Supreme Court docket.



IT IS THEREFORE ORDERED that Respondent, shall pay the sum of \$132.00  
as more fully specified above, with judgment interest as allowable by law.

Dated this 27 day of May, 2026.

BY THE COURT:

  
\_\_\_\_\_  
Jeffrey J. Funke, Chief Justice