

Court of Appeals of Nebraska
Office of the Clerk

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A-26-000056

Buettner v. Buettner

Motion of Appellee to Extend Brief Date

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

A-26-000175

State v. Jason Mead

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to June 29, 2026.

A-26-000198

Campbell v. Evnen

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-26-000200

Howard v. Black Hills Nebraska Gas, LLC

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

Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), a second notice is hereby provided that the appellate court has not received the bill of exceptions by the May 19, 2026 due date, certification of 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.

A-26-000375

State v. Maxwell J Allen

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's April 23, 2026, notice of appeal and May 8 poverty affidavit were not filed within 30 days of the March 23 order denying his postconviction motion. See, Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024) (notice of appeal must be filed within 30 days after entry of judgment, decree, or final order); State v. Blake, 310 Neb. 769, 969 N.W.2d 399 (2022) (when poverty affidavit is substituted for docket fee, it must be filed within time and in manner required for filing docket fee).

A-26-000386

State v. Cameron D May

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). The denial of a motion to withdraw a plea is not a final, appealable order. State v. Cisneros, 14 Neb. App. 112, 704 N.W.2d 550 (2005). And in a criminal case, the final judgment is the sentence. State v. Boone, 314 Neb. 622, 992 N.W.2d 451 (2023).

A-26-000386

State v. Cameron D May

Motion of Appellant to Dismiss Appeal

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Motion of Appellant to dismiss appeal overruled as moot, appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000336

State v. Brian R Bower

Order to Show Cause re Jurisdiction

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S-24-000749

In re Interest of Bosileo D. et al.

ROD Submission to Court

Affirmed. Bergevin, Justice.

S-25-000310

State v. Keiandre T Kellogg

ROD Submission to Court

Affirmed. Freudenberg, Justice. Bergevin and Vaughn, Justices,
recused. Smith and Hall, District Court Judges, sitting.

S-25-000503

Kuehn v. Pillen

Motion to Withdraw -Huxoll for Appellee

Motion of counsel for Appellee, Huxoll, to withdraw sustained.

S-26-000096

State v. Jack E Harris

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 29, 2026.

FILED

MAY 29 2026

NEBRASKA SUPREME COURT
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

State of Nebraska,)	No. A-26-336.
)	
Appellant,)	
)	ORDER TO SHOW CAUSE
v.)	
)	
Brian R. Bower,)	
)	
Appellee.)	

The State of Nebraska appeals from the York County District Court’s April 16, 2026, order that granted appellee Brian R. Bower’s motion to suppress evidence. Pursuant to Neb. Rev. Stat. § 29-826 (Reissue 2016), the district court granted the State 10 days to file a notice of its intention to seek appellate review. On Monday, April 27, the State timely filed a notice of intent to appeal the suppression order. Upon the filing of that notice, “the trial court shall fix the time in which the application for review shall be filed with the appellate court,” which “in no event shall [be] more than thirty days” from the filing of the State’s notice of intent to appeal. §§ 29-825 and 29-826. On May 26, the district court entered an order stating that “the State’s Application for Review shall be filed with the Clerk of the Supreme Court no later than thirty (30) days from the date of the Court’s Memorandum Opinion and Order which is dated April 16, 2026.” Thus, the district court’s order fixed May 16 as the State’s deadline for filing its application for appellate review. The State filed its “Application for Summary Review of Suppression Order” on May 26.

The State is ordered to show cause no later than 10 days from entry of this order explaining why its application for review, filed on May 26, 2026, should not be denied as untimely filed given the district court’s order setting May 16 as the State’s filing deadline. See Neb. Rev. Stat. § 29-824 et seq. (Reissue 2016); *State v. Hood*, 23 Neb. App. 208, 869

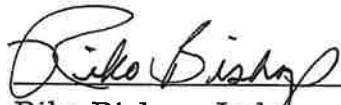


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N.W.2d 383 (2015) (timeliness of appeal is jurisdictional necessity; State's appeal from suppression order dismissed for lack of jurisdiction). Failure to respond shall be cause for this appeal to be summarily dismissed pursuant to Neb. Ct. R. App. P. § 2-107(A)(1) without further notice.

Dated this 29th day of May, 2026.

BY THE COURT:



Riko Bishop, Judge