

Court of Appeals of Nebraska  
Office of the Clerk

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A-24-000668

Bentley v. Sandhills Aviation

ROD Petition of Appellant for Further Review  
Petition of Appellant for further review denied.

A-25-000386

State v. Wah K Say

Motion to Withdraw Howard for Appellant  
Previously ordered supplemental transcript having been received,  
motion of counsel for Appellant, Joseph Howard, to withdraw, having  
been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is  
sustained.

A-25-000500

State v. Nuru P Iratukunda

ROD Amended Opinion  
Affirmed. Pirtle, Judge. See Amended Memorandum Web Opinion.  
Memorandum Web Opinion issued June 16, 2026 modified to correct "third  
degree" to "first degree" on pages 1 and 2.

A-25-000733

Tranquility Home Healthcare v. Department of Health and Human Services  
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 September Proposed Call of the Nebraska Court of Appeals.

A-25-000861

Mines v. Prante-Ballue

Mot Appt Reconsideration of Continuance  
Motion of Appellant for reconsideration overruled as moot.

A-25-000861

Mines v. Prante-Ballue

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 September Proposed Call of the Nebraska Court of Appeals.

A-25-000893

State v. Jesse J Widick

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 17, 2026.

A-25-000896

Ahmed v. Allen

ROD APPT Default Notice  
By order of the Court, appeal dismissed for failure to file briefs  
pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue  
accordingly.

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A-25-000963

Posey v. Cao

Motion to Withdraw Carnell for Appellee

Motion of counsel for Appellee, McKenna Carnell, to withdraw, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained.

A-26-000006

Gates v. City of Friend, Nebraska

Motion of Appt for Rehearing & Brief

Appellant's motion for rehearing is overruled. Judgments rendered by administrative agencies acting in a quasi-judicial capacity are not subject to collateral attack if the agency had jurisdiction over the parties and the subject matter. See *In re Guardianship of Gaube*, 14 Neb. App. 259, 707 N.W.2d 16 (2005).

A-26-000009

State v. Seth M Ferranti

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date extended to July 22, 2026.

A-26-000049

Sundelin v. Grasmick

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to August 5, 2026.

A-26-000070

State v. Nathaniel J Cullum

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellant's brief date extended to July 10, 2026. No further extensions will be allowed.

A-26-000101

State v. Benjamin Jones

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 sentence is 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-26-000135

State v. Kenneth R Heath Jr

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence imposed did not constitute an abuse of

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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-26-000148

State v. David A. Burling

ROD

Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). 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-26-000151

State v. Brandon J Mikesh

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to July 17, 2026.

A-26-000158

State v. Luke B Woodral

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 sentence is 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-26-000161

Bajjuri v. Karney

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to July 20, 2026.

A-26-000173

State v. Carl H Dooley

ROD

Mot. of Appellee for Summary Affirmance  
Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). 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); *State v. McGovern*, 311 Neb. 705, 974 N.W.2d 595 (2022) (findings required under Neb. Rev. Stat. § 29-2204.02 (Reissue 2016) for Class IV felonies do not apply to sentencing decisions pertaining to higher-level offenses); *State v. Montoya*, 29 Neb. App. 563, 957 N.W.2d 190 (2021) (it is within discretion of trial court whether to impose probation or incarceration and appellate court will uphold district court's decision denying probation absent abuse of discretion).

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A-26-000174

Hohenstein v. Hohenstein

By Order of Court re: Record Prep Date

By order of the Court, notice of payment of estimated cost of bill of exceptions having been received, record preparation date for supplemental bill of exceptions re-established as June 29, 2026. Trial court clerk to notify court reporting personnel of the extended due date.

A-26-000174

Hohenstein v. Hohenstein

Appellee's Brief Date Extended

Record preparation date for supplemental bill of exceptions having been re-established as June 29, 2026, Appellee's brief date is extended to July 29, 2026.

A-26-000202

State v. Raymond C Howell

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-26-000205

Mobeco Industries, Inc. v. Divine Mowing Service, Inc.

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to July 22, 2026.

A-26-000206

State v. Jesse R Stinson

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-26-000210

Topp v. County of Lancaster, Nebraska

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to July 22, 2026.

A-26-000227

State v. Jeffrey C Fauble

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to July 22, 2026.

A-26-000228

In re Interest of Lyon 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 July 13, 2026.

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A-26-000229

State v. Blake J Suhr

Application Appt for Recognizance

Case nos. A-26-229 and A-26-230 are before the court on Appellant's "Application for Recognizance," pursuant to Neb. Rev. Stat. § 29-3002 (Reissue 2016), filed in each appeal. On the court's own motion, the appeals are consolidated. Appellant's applications for recognizance are overruled in both appeals.

A-26-000230

State v. Blake J Suhr

Application Appt to request Recognizance

Case nos. A-26-229 and A-26-230 are before the court on Appellant's "Application for Recognizance," pursuant to Neb. Rev. Stat. § 29-3002 (Reissue 2016), filed in each appeal. On the court's own motion, the appeals are consolidated. Appellant's applications for recognizance are overruled in both appeals.

A-26-000236

State v. Toofeathers Q Bueno IV

Motion of Appellee to Consolidate

Motion of Appellee to consolidate sustained; cases 26-0236 and 26-0237 consolidated for further briefing and disposition.

A-26-000237

State v. Toofeathers Q Bueno IV

Motion of Appellee to Consolidate

Motion of Appellee to consolidate sustained; cases 26-0236 and 26-0237 consolidated for further briefing and disposition.

A-26-000256

Jetz Service Co., Inc. v. Olderbak Enterprises North, LLC

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 July 1, 2026; trial court clerk to notify court reporting personnel of the extension.  
entry).

A-26-000256

Jetz Service Co., Inc. v. Olderbak Enterprises North, LLC

Appellant's Brief Date Extended

Record preparation date having been extended to July 1, 2026, Appellant's brief date extended to July 31, 2026.

A-26-000257

Mitchell v. Union Pacific Railroad Company

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 24, 2026; trial court clerk to notify court reporting personnel of the extension.

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A-26-000257

Mitchell v. Union Pacific Railroad Company

Appellant's Brief Date Extended

Record preparation date having been extended to June 24, 2026,

Appellant's brief date extended to July 24, 2026.

A-26-000282

Peak v. Peak

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

A-26-000290

Goodwin v. Health and Human Services

Ruling Reserved on Motion to Extend Brf

Appellant's motion to extend brief date fails to set forth any showing of cause as required by Neb. Ct. R. App. P. § 2-106(E). Motion is held under advisement for 7 days pending compliance with above rule as well as providing an explanation to the court why the request was not filed within ten days of the issuance of default. After such time, the motion shall be reconsidered.

A-26-000291

Goodwin v. Health and Human Services

Ruling Reserved on Motion to Extend Brf

Appellant's motion to extend brief date fails to set forth any showing of cause as required by Neb. Ct. R. App. P. § 2-106(E). Motion is held under advisement for 7 days pending compliance with above rule as well as providing an explanation to the court why the request was not filed within ten days of the issuance of default. After such time, the motion shall be reconsidered.

A-26-000296

Peak-Barfield v. Peak

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

A-26-000297

Peak-Barfield v. Peak

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

A-26-000298

Peak v. Abram-Young

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

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A-26-000300

State v. Travis Jackson

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). 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-26-000312

State v. Christal M Hiles

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 22, 2026; trial court clerk to notify court reporting personnel of the extension. entry).

A-26-000312

State v. Christal M Hiles

Appellant's Brief Date Extended

Record preparation date having been extended to June 22, 2026, Appellant's brief date extended to July 22, 2026.

A-26-000327

Meisenbach v. Teusink

Motion of Appellant to Substitute Party

Motion to substitute parties filed in present appeal denied without prejudice to refile in appeal No. A-25-381, which remains suspended pending compliance with Nebraska's revivor statutes.

A-26-000327

Meisenbach v. Teusink

ROD

Order Show Cause re Suggestion of Death

Upon the filing of Appellee's suggestion of death of Appellant, this Court issued a show cause order why the matter should not be dismissed and all orders issued post-death vacated. Having received the Appellant's response, the present appeal is dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1). Notice of appeal was filed by Appellant's attorney after Appellant's death but prior to revivor or substitution; therefore, attorney lacked standing to prosecute appeal. See In re Conservatorship of Franke, 292 Neb. 912, 875 N.W.2d 408 (2016) (attorney's representation of client generally ends upon death of client). We further vacate for lack of jurisdiction all orders, judgments, and mandates issued by this Court and the trial court in this matter after the date of Appellant's death including the dismissal of case No. A-25-381. See Muller v. Weeder, 313 Neb 639, 986 N.W.2d 38 (2023) (actions taken by courts following Appellant's death but prior to revivor or substitution are nullity).

A-26-000346

State v. Anthony J Taylor

ROD

Motion to Withdraw Elliott for Appellant

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

A-26-000367

Bayson v. Southeast Community College

Mot Appt Limited Remand -Correct Record

Motion for remand overruled without prejudice to seeking amendments to the bill of exceptions as provided in Neb. Ct. R. App. P. § 2-105(G). Appellant's brief date extended to September 9, 2026.

A-26-000378

State v. Trey L Norton

Ruling Reserved Request for BOE

Counsel for Appellant is granted an additional three days to file a praecipe for bill of exceptions in the trial court as ordered on June 11, 2026.

A-26-000378

State v. Trey L Norton

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as moot, subject to proper compliance with the court's June 11, 2026 order.

A-26-000378

State v. Trey L Norton

Motion to Withdraw Stratton for Appt

Motion of counsel for Appellant, Nathan J. Stratton, to withdraw, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained.

A-26-000393

In re Guardianship Linda L.

ROD Order to Show Cause re: Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. § 2-107(A)(1). Appellant failed to respond to this Court's order to show cause directing him to provide a supplemental transcript containing the motions that were denied in the April 14, 2026, order from which he was appealing. Without the motions, the record does not confirm that the appeal is from a final appealable order.

A-26-000399

Schramm v. Schramm

Misc Submission to Court re Jurisdiction

This case is before the Court on jurisdictional review. The order appealed from does not resolve all causes of action asserted. See Neb. Rev. Stat. § 25-1315(1) (Reissue 2016). However, portions of the order may constitute a final appealable order. See Neb. Rev. Stat. § 25-1090 (Reissue 2016) (recognizing orders appointing receivers and giving them directions are final orders). In their briefs to the Court, the parties are directed to address this court's jurisdiction over any portion of the order for which review is sought.

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A-26-000413

State v. Jaxyn P Barrett

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 22, 2026; trial court clerk to notify court reporting personnel of the extension. entry).

A-26-000413

State v. Jaxyn P Barrett

Appellant's Brief Date Extended

Record preparation date having been extended to June 22, 2026, Appellant's brief date extended to July 22, 2026.

A-26-000427

Tyler v. Novotny

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 order denying in forma pauperis status. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-26-000429

State v. John M Montin

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 correctly concluded that there are no recognized criminal procedure statutes that apply to appellant's requests. "Where a criminal procedure is not authorized by statute, it is unavailable to a defendant in a criminal proceeding. And . . . when an unauthorized motion is filed in a criminal case, the court lacks subject matter jurisdiction to adjudicate it. Similarly, . . . when a collateral attack on a criminal judgment is not raised in a recognized proceeding, the court lacks jurisdiction over the claim." State v. McAleese, 311 Neb. 243, 247-48, 971 N.W.2d 328, 331-32 (2022). Where a lower court lacks subject matter jurisdiction to adjudicate the merits of a claim, issue, or question, an appellate court also lacks the power to determine the merits of the claim, issue, or question presented to the lower court. State v. Pauly, 311 Neb. 418, 972 N.W.2d 907 (2022).

A-26-000437

State v. Luis A Ruiz Jr

Motion Appt to Extend time pay for BOE

Motion sustained; Appellant granted leave to pay for bill of exceptions out of time. Payment to be made within three days of this order and court reporter is directed to begin working on the bill of exceptions after receiving payment.

A-26-000469

Kennedy v. Kennedy

By order of the Court re Attachments

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By order of the Court, attachments to the praecipe for bill of exceptions stricken as an improper attempt to expand the appellate record.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000446

Delaney v. Upsolve Inc  
Order to Show Cause re Jurisdiction

A-26-000461

Delaney v. Upsolve Inc  
Order to Show Cause re Jurisdiction

A-25-000500

State v. Nuru P Iratukunda  
Amended Opinion

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S-25-000642

Trane U.S., Inc. v. Raymond

Petition of Appellant to Bypass COA

Petition of Appellant to bypass review by the Court of Appeals  
granted.

S-26-000428

State v. Terrell E Newman

ROD Misc. Submission to Court - Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. §  
2-107(A)(1).

S-26-000493

State v. Nikko A Jenkins

By order of the Court: Consolidation

By Order of the Court, cases S-26-493 and S-26-494 consolidated for  
briefing and disposition.

S-26-000494

State v. Nikko A Jenkins

By order of the Court re Consolidation

By Order of the Court, cases S-26-493 and S-26-494 consolidated for  
briefing and disposition.

**FILED**

**JUN 17 2026**

NEBRASKA SUPREME COURT  
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

Alejandro J. Guerrero,	)	No. A-26-0363
	)	
Appellant,	)	
	)	
v.	)	<b>ORDER TO SHOW CAUSE</b>
	)	
Amanda Guerrero,	)	
	)	
Appellee.	)	

The Appellant timely filed a notice of appeal from the Lancaster County District Court's order of modification and a request for preparation of a bill of exceptions on May 6, 2026. Notice of the estimate for bill of exceptions was provided on May 7, 2026, directing the Appellant to deposit the estimate with the clerk of the district court within 7 days. On May 15, 2026, the clerk of the Lancaster County District Court filed a notice of failure to pay the estimated cost of the bill of exceptions. The record reflects that, on May 18, 2026, a notice of payment of the estimated cost of the bill of exceptions was filed which indicated that the deposit was made on May 18, 2026.

Pursuant to Neb. Ct. R. App. P. § 2-105(B)(4)(c):

(c) Failure to Make Deposit. If appellant fails to timely make the required deposit of the estimated cost of preparation, the clerk of the trial court shall transmit a notice thereof to the Clerk and to the court reporting personnel responsible for making the record. Thereafter, unless leave of the appellate court for an extension of time to make the deposit is granted for good cause shown, the appeal shall proceed as if no bill of exceptions had been requested.

The Appellant, having failed to request, and receive, leave of this appellate court for an extension of time to make the deposit for good cause shown, is hereby ordered to show cause, within 7 days of the date



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of this order, why the appeal should not proceed as if no bill of exceptions had been requested.

Dated this 17<sup>th</sup> day of June, 2026.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Lawrence E. Welch". The signature is written in a cursive style with a large initial "L".

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Lawrence E. Welch, Judge

FILED

JUN 17 2026

NEBRASKA SUPREME COURT  
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

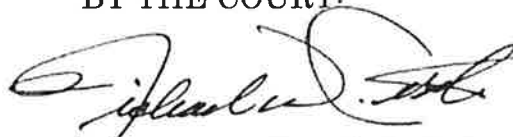
Andrew Delaney,	)	Nos. A-26-446 and A-26-461.
	)	
Appellant,	)	
	)	
v.	)	<b>ORDER TO SHOW CAUSE</b>
	)	
Upsolve, Inc., a corporation,	)	
Rohan Pavuluri, an individual,	)	
and William H. Gates, III, an	)	
individual,	)	
	)	
Appellees.	)	

These matters are before us for purposes of jurisdictional review. The poverty affidavit filed by the appellant purports to be signed by a “notarial services attorney” in Thailand but does not bear a notarial seal and is lacking any indication that a notarial services attorney is authorized to administer oaths in Thailand. See *State v. Haase*, 247 Neb. 817, 530 N.W.2d 617 (1995). See also *In re Interest of Fedalina G.*, 272 Neb. 314, 721 N.W.2d 638 (2006).

The appellant has 21 days to provide this court with an affidavit attesting that the purported notary was a duly qualified notary public in Thailand at the time of the signing. Failure to respond shall be cause for these appeals to be summarily dismissed pursuant to Neb. Ct. R. App. P. § 2-107(A)(1).

Dated this 17th day of June, 2026.

BY THE COURT:



Michael W. Pirtle, Judge



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