

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000442

Campbell v. Bel Fury Investments

Motion of Appellees for Attorney Fees

Appellee's motion for attorney fees is sustained, in part. Appellant is ordered to pay Appellees the sum of \$2,500 in attorney fees incurred in connection with the appeal to this court. See Neb. Ct. R. App. P. § 2-106(G)(1).

A-25-000571

State v. Alan W Wellard

Case Reveiw 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-25-000732

State v. Susan K Allright

ROD Petition of Appellant for Further Review

Petition of Appellant for further review denied.

A-25-000756

State v. Jesse J Wilson

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-26-000042

State v. Johnny Hawkins Jr

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 27, 2026.

A-26-000088

State v. Jason Cast

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentence imposed was not an abuse of discretion. See *State v. Rejai*, 320 Neb. 599, 29 N.W.3d 225 (2026) (sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court); *State v. Greer*, 309 Neb. 667, 962 N.W.2d 217 (2021) (sentencing court is not required to articulate on record that it has considered each sentencing factor nor make specific findings as to facts pertaining to factors or weight given them).

A-26-000110

State v. Trenton Titsworth-Hunt

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance overruled. Appellee's brief date extended to July 2, 2026.

A-26-000212

State v. Brian J Vokoun

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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-26-000240

Depue v Mid-America Vulcanizing Inc
By Order of Court re Cert of Service Ltr
By order of the Court, letter regarding certificate of service sent in error on June 18, 2026, by the clerk's office. Said letter is hereby rescinded.

A-26-000332

ROD Npimnee v. Klinto
Misc Submission to Court re Jurisdiction
Appeal dismissed for lack of jurisdiction (2/1 vote). See, Neb. Ct. R. App. P. § 2-107(A)(1); *State ex rel. Malone v. Baldonado-Bellamy*, 307 Neb. 549, 950 N.W.2d 81 (2020) (filing of motion and affidavit or petition positively verified is jurisdictional requirement before district court may issue writ of mandamus, and until such filing is made, court does not have jurisdiction over action for writ of mandamus). Where a lower court lacks subject matter jurisdiction to adjudicate the merits of claim, issue, or question, the appellate court also lacks power to determine the merits of the claim, issue, or question presented to lower court. *Hauxwell v. Middle Republican NRD*, 319 Neb. 1, 21 N.W.3d 34 (2025). Appellant's motion to extend brief deadline and other ancillary motions are deemed moot.

A-26-000332

Npimnee v. Klinto
Mot Appt Ext Brf Dt & Req for BOE
Motion of Appellant to extend brief deadline, direct district court to release judges notes and register of actions, and leave to file bill of exceptions overruled as moot.

A-26-000407

State v. Stacy A Glammeier
Neb. Ct. R. App. P. § 2-105(C)(5) Notice
SECOND NOTICE Bill of exceptions was due on June 9, 2026 and the first notice was sent on June 10, 2026. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), 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.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000449

State v. Clintus J Alford
Order to Show Cause Late BOE Request

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S-24-000664

State v. Raymond Mata, Jr

ROD Submission to Court

Affirmed. Funke, Chief Justice. Freudenberg, and Bergevin, Justices, not participating. Moore and Bishop, Court of Appeals Judges, sitting.

S-25-000243

Bar at the Yard v. Friends Family

ROD Submission to Court

Affirmed. Papik, Justice. Funke, Chief Justice, not participating.

S-25-000289

Rewerts v. Stuehrenberg Agency, Inc.

ROD Submission to Court

Affirmed. Vaughn, Justice. Memorandum Opinion.

S-25-000310

State v. Keiandre T Kellogg

Motion of Appellant for Rehearing

Motion of Appellant being untimely filed pursuant to Neb. Ct. R. App. P. § 2-113(A), motion of Appellant for rehearing overruled.

S-25-000465

Schmuecker v. Lancaster County, Nebraska

ROD Submission to Court

Affirmed. Cassel, Justice.

S-25-000566

State v. Kash A Davis

Motion of Appellant to Expand Word Limit

Motion of Appellant for extension of word limit sustained in part and overruled in part. Appellant authorized to file a brief containing no more than 22,500 words.

S-25-000566

State v. Kash A Davis

Appellant Replacement Brief Due

Pursuant to Neb. Ct. R. App. P. § 2-109(F), original brief of Appellant filed on June 15, 2026, is stricken. Replacement brief ordered. The word count for the Appellant's replacement brief is extended to 22,500 words. Replacement brief of Appellant is due on or before June 30, 2026. Failure to file a timely replacement brief in compliance with this order may subject the appeal to dismissal. See Neb. Ct. R. App. P. § 2-110(A).

S-25-000939

State v. Carrie M Jones

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted, in part; time for preparation of bill of exceptions extended to July 6, 2026; trial court clerk to notify court reporting personnel of the extension. No additional extensions will be granted, absent a showing of exceptional cause.

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S-25-000939

State v. Carrie M Jones
Appellant Brief Date Extended
Record preparation date having been extended to July 6, 2026,
Appellant's brief date is extended to August 6, 2026.

S-26-000136

State v. Mabior M Mabior
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
July 15, 2026.

S-26-000226

Nebraska Association of Public Employees Local 61 v. State of 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 24, 2026.

S-26-000440

State ex rel. Counsel for Discipline v. Hamilton
ROD Voluntary Surrender of License
Judgment of disbarment. Per Curiam. Stacy, Justice, not participating.

S-26-000493

State v. Nikko A Jenkins
Ruling Deferred re Replacement NOA
Ruling on Appellant's Motion for leave to file replacement notices of
appeal deferred until plenary submission of the appeal.

S-26-000494

State v. Nikko A Jenkins
Ruling Deferred re Replacement NOA
Ruling on Appellant's Motion for leave to file replacement notices of
appeal deferred until plenary submission of the appeal.

S-26-000493

State v. Nikko A Jenkins
Motion Appt Leave to File BOE OOT/Trans
Motion for leave to file request for bill of exceptions sustained,
praecipe for bill of exceptions filed on June 16, 2026 in 26-0493
accepted as filed, Appellant shall file praecipe within three days of
this order in 26-0494. Record preparation date re-established as
August 7, 2026. Trial court clerk to notify court reporting personnel
of the extended due date.
Motion of Appellant for leave to request late transcript overruled.
See Neb. Ct. R. App. P. § 2-104(C).

S-26-000494

State v. Nikko A Jenkins
Motion Appt Leave to File BOE OOT/Trans
Motion for leave to file request for bill of exceptions sustained,
praecipe for bill of exceptions filed on June 16, 2026 in 26-0493

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accepted as filed, Appellant shall file praecipe within three days of this order in 26-0494. Record preparation date re-established as August 7, 2026. Trial court clerk to notify court reporting personnel of the extended due date.

Motion of Appellant for leave to request late transcript overruled. See Neb. Ct. R. App. P. § 2-104(C).

S-26-000493

State v. Nikko A Jenkins

Appellant's Brief Date Extended

Record preparation date having been re-established to August 7, 2026, Appellant's brief date extended to September 8, 2026.

S-26-000494

State v. Nikko A Jenkins

Appellant's Brief Date Extended

Record preparation date having been re-established to August 7, 2026, Appellant's brief date extended to September 8, 2026.

IN THE NEBRASKA COURT OF APPEALS

FILED
JUN 18 2026
NEBRASKA SUPREME COURT
COURT APPEALS

State of Nebraska,)
Appellee,)
v.)
Clintus J. Alford,)
Appellant.)

No. A-26-0449

ORDER TO SHOW CAUSE

On June 2, 2026, the Appellant timely appealed from the Douglas County District Court's order denying the Appellant's motion to vacate or modify the judgment denying postconviction relief. However, Appellant did not file a request for the preparation of the bill of exceptions at that time. On June 15, 2026, Appellant filed a request for the preparation of the 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.

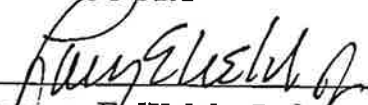
And, pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f), late requests for the preparation of the bill of exceptions may not be filed "without leave of the appellate court for good cause shown, which cause shall not be within a party's reasonable control." Appellant has not requested leave of this court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

Further, Neb. Ct. R. App. P. § 2-105(B)(2)(b) requires the Appellant to specifically identify each portion of the evidence and exhibits offered at any hearing the Appellant believes is material to the appeal.

Appellant, having failed to allege good cause for this failure, and having failed to specifically identify the evidence and exhibits requested, 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 18th day of June, 2026.

BY THE COURT:



Lawrence E. Welch, Judge



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