

Court of Appeals of Nebraska
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A-25-000637

Wells v. Tschacher

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-25-000756

State v. Jesse J Wilson

ROD Notice Intent to Respond to Summ/Affirm

Motion of Appellee for summary affirmance sustained. The motion for postconviction relief is time barred under Neb. Rev. Stat. § 29-3001(4) (Cum. Supp. 2024).

A-26-000007

In re Estate of Parks

By order of the Court re Bond

Motion of Appellant to set bond overruled as moot.

A-26-000007

In re Estate of Parks

ROD Mot. of Appe 2 & 3 for Summary Dismissal

Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1). The appellees' "Counterclaim of Co-Personal Representatives" filed in the county court on August 21, 2025, requested attorney fees pursuant to Neb. Rev. Stat. § 25-824(2) (Reissue 2016). However, that request was not addressed in the county court's December 4, 2025, order, from which this appeal was taken. Because the motion for attorney fees remains undisposed, the county court has not yet entered a judgment or final order from which an appeal may be taken. See Murray v. Stine, 291 Neb. 125, 864 N.W.2d 386 (2015) (when motion for attorney fees under § 25-824 is made prior to judgment of court, judgment is not final and appealable until court has ruled upon motion).

A-26-000207

In re Estate of Metcalf

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 17, 2026.

A-26-000263

State v. Tiffany L Frye

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-26-000336

State v. Brian R Bower

By Order of Court re Oral Argument Date

By order of the Court, oral arguments on summary review scheduled for September 22, 2026, at 10:00 a.m. in the Court of Appeals Courtroom, State Capitol, Lincoln, Nebraska. Parties arguing shall sign in at

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the Clerk's office by no later than 9:45 a.m.

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A-26-000432

State v. William W Schippert

ROD

Order to Show Cause re: Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). The May 11, 2026, motion to proceed in forma pauperis lacks the complete notarial seal which includes the signature of the notary. See State v. Guardiola, 32 Neb. App. 915, 8 N.W.3d 253 (2024) (jurisdictional issue exists if defect in affidavit includes one of the hallmarks of affidavit such as signature of affiant or certificate of authorized officer). Cause not shown. Appellant's response to our order to show cause failed to provide an affidavit attesting that the notary who witnessed the signing of the affidavit filed on May 11, 2026, was a duly qualified notary public in the State of Nebraska at the time of the signing and confirming that the affiant appeared before the notary, attested to the truth of his statements, and signed the affidavit.

A-26-000432

State v. William W Schippert

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as moot.

A-26-000432

State v. William W Schippert

Motion of Appt Leave to Request Late BOE

Motion for leave to request late bill of exceptions overruled as moot.

A-26-000510

State v. Febronio Plasencio

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 June 18, 2026, notice of appeal and poverty affidavit were not filed within 30 days of the district court's May 12, 2026, sentencing order. 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. Geller, 318 Neb. 441, 16 N.W.3d 365 (2025) (sentence validly imposed takes effect from time it is pronounced).

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S-24-000920

Bocanegra v Gonzalez

ROD Submission to Court

Affirmed in part, and in part vacated and set aside. Per Curiam.
Stacy, Justice, concurring. Post, District Court Judge, sitting.

S-24-000920

Bocanegra v Gonzalez

Motion to Withdraw Frei for Appe

Motion to withdraw Maggie E. Frei, construed by the Court as a
substitution of counsel, is sustained. Maggie E. Frei will no longer
show as attorney of record for appellee.

S-25-000270

Pinpoint Holdings v. Gage County

ROD Submission to Court

Affirmed. Papik, Justice.

S-25-000543

State v. Anthony L Burries

ROD Submission to Court

Affirmed. Cassel, Justice. Freudenberg, Bergevin, and Vaughn,
Justices, not participating. McManaman and Butler, District Court
Judges, sitting.