

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000591

Millard Gutter Company v. State Farm Fire and Casualty Company
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-25-000985

Lane v. Alegent Health-Bergan Mercy HS
Mot Extend Brief Date -Alegent Creighton
Motion of Appellee sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date extended to August 14, 2026.

A-26-000016

State v. John S Hochstetler
ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentences imposed were not 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). Appellant's assigned error for ineffective assistance of trial counsel lacks specificity to garner appellate review. See State v. Rupp, 320 Neb. 502, 28 N.W.3d 74 (2025) (an assignment of error, standing alone, must specifically allege what conduct constituted deficient performance).

A-26-000111

Wiley v. Innovative Homes & Design Inc
Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of exceptions extended to July 27, 2026. No further extensions will be allowed.

A-26-000111

Wiley v. Innovative Homes & Design Inc
Appellant's Brief Date Extended
Record preparation date having been extended to July 27, 2026, Appellant's brief date extended to August 26, 2026.

A-26-000112

J.P. Plumbing Co., Inc. v. Jill of All Trades
Motion of Appt Extend Reply Brief Date
Motion of Appellant sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's reply brief date extended to July 20, 2026.

A-26-000151

State v. Brandon J Mikesh
Motion of Appellant to Extend Brief Date
Appellant's motion considered and sustained in part; Appellant's brief date extended to July 27, 2026. No further extensions will be allowed.

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A-26-000188

Blume v. Blume

Mot Appt Extend Brief Date/BOE Prep date

Motion of Appellant to extend preparation and brief date overruled. See prior order of the court.

A-26-000188

Blume v. Blume

Motion of Appt for Leave to pay BOE OOT

Motion of Appellant for leave to pay for the bill of exceptions out-of-time overruled. See prior order of the court.

A-26-000233

Strong v. Holbert

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-26-000239

In re Interest of Rozlynne M.

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled as moot. Original brief of Appellant was timely filed July 10, 2026. Brief of Appellant is subject to compliance with the Court's brief replacement order issued July 13, 2026 pursuant to Neb. Ct. R. App. P. § 2-109(F).

A-26-000258

State v. Cody Doss

Motion of Appellant to Consolidate Cases

Motion of Appellant sustained; cases A-26-0258 and A-26-0260 consolidated for briefing and disposition.

A-26-000260

State v. Cody Doss

Motion of Appellant to Consolidate Cases

Motion of Appellant sustained; cases A-26-0258 and A-26-0260 consolidated for briefing and disposition.

A-26-000277

State v. Randale K Gamble

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to August 7, 2026. No further extensions will be allowed absent exceptional cause.

A-26-000303

Npimnee v. Young

ROD Motion of Appellant to Dismiss Appeal

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

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A-26-000314

State v. Yasin A Budul

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to August 24, 2026.

A-26-000318

State v. Alejandra N Shirley

Motion of Appellee to Consolidate Cases

Motion of Appellee sustained; cases 26-0318 and 26-0319 consolidated for remaining briefing and disposition.

A-26-000319

State v. Alejandra N Shirley

Motion of Appellee to Consolidate Cases

Motion of Appellee sustained; cases 26-0318 and 26-0319 consolidated for remaining briefing and disposition.

A-26-000323

State v. Abbas H Azeez

Motion of Appellant to Extend Brief Date

Motion of Appellant for extension of brief date following issuance of a notice of default for failure to file a brief is sustained.

Appellant's brief date extended to August 12, 2026. No further extensions shall be granted. Failure to file brief by said date subjects the appeal to dismissal without further notice pursuant to Neb. Ct. R. App. P. § 2-110(A).

A-26-000326

State v. Jose Lima

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-26-000367

Bayson v. Southeast Community College

Motion of Appt for Relief pending Appeal

Motion for relief pending appeal overruled without prejudice to seeking relief in the trial court.

A-26-000420

State of Nebraska obo Jasmyynn S. v. Merrissa J.

By Order of Court re Replacement BOE

Tendered bill of exceptions considered. Upon review, the bill of exceptions transferred from the trial court does not comply with Neb. Ct. R. App. P. § 2-105.01. See deficiency listing. Said bill of exceptions is declined and ordered removed from the trial court's register of actions. Court reporting personnel directed to file a replacement bill of exceptions compliant with Nebraska Court Rules of Appellate Practice within ten days of the issuance of this order.

A-26-000449

State v. Clintus J Alford

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Motion of Appellant to Extend Brief Date
Motion of Appellant for extension of brief date following issuance of a notice of default for failure to file a brief is sustained.
Appellant's brief date extended to August 12, 2026. No further extensions shall be granted absent a showing of exceptional cause.
Failure to file brief by said date subjects the appeal to dismissal without further notice pursuant to Neb. Ct. R. App. P. § 2-110(A).

A-26-000534

State v. Milton J Castanon Jr

Motion of Appt for Leave to pay BOE OOT
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-26-000540

State v. Paul D Brooks

Ruling Reserved Motion to Withdraw
Motion to withdraw filed by Appellant counsel F. Matthew Aerni, taken under advisement pending 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-26-000544

State v. Brandon T Byrd

Motion to Withdraw -Jorgensen 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. John C. Jorgensen allowed to withdraw as counsel for Appellant.

A-26-000566

Robinson v. Kelly

By order of the Court re Striking Attach
Attachments to the Notice of Appeal are stricken as an improper means of submitting record on appeal pursuant to Neb. Ct. App. P. § 2-104(A)(1).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000406

Swartz v. Swartz

Order to Show Cause re Late Request BOE

A-26-000520

In re Estate of Runge

Order to Show Cause re Late Request BOE

A-26-000536

Sasges v. Sasges

Order to Show Cause re Fail to Pay BOE

IN THE NEBRASKA COURT OF APPEALS

FILED
JUL 15 2026
NEBRASKA SUPREME COURT
COURT APPEALS

In re Estate of Isabelle Runge,
Appellee,

v.

Daniel Runge
Appellant.

No. A-26-0520

ORDER TO SHOW CAUSE

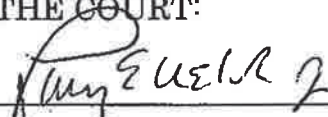
On June 24, 2026, the Appellant timely appealed from the Buffalo County Court's order denying his motion to vacate. The Appellant filed a timely request for preparation of the bill of exceptions at that time requesting that the court prepare a bill of exceptions for three separate cases but did not make a specific request for hearing dates or exhibits. On July 6, 2026, the Appellant filed a supplemental request for bill of exceptions requesting specific hearing dates for the same three separate cases without leave of this court.

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 to request a second bill of exceptions.

Appellant, having failed to seek leave or allege good cause for Appellant's untimely request 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 15th day of July, 2026.

BY THE COURT:



Lawrence E. Welch, Judge



000107611NSC

IN THE NEBRASKA COURT OF APPEALS

Judy D. Sasges
Appellant,

v.

Larry L. Sasges,
Appellee.

No. A-26-0536

ORDER TO SHOW CAUSE

FILED
JUL 15 2026
NEBRASKA SUPREME COURT
COURT APPEALS

The Appellant timely filed a notice of appeal from the Washington County District Court's order and filed a request for the preparation of the bill of exceptions. On July 6, 2026, the court reporting personnel provided Appellant with an estimate for the bill of exceptions directing Appellant to pay the estimated amount within 7 days. On July 14, 2026, the district court clerk filed a notice of failure to pay the estimated cost of the bill of exceptions. That same day, the clerk filed a notice of payment of the estimated cost of the bill of exceptions which indicated that the deposit was made on July 14, 2026.

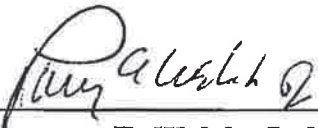
Pursuant to Neb. Ct. R. App. P. § 2-105(B)(4)(c):

(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.

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

Dated this 15th day of July, 2026.

BY THE COURT:


Lawrence E. Welch, Judge



000107633NSC

IN THE NEBRASKA COURT OF APPEALS

No. A-26-0406

Anthony E. Swartz,
Appellant,

v.

Tyggre R.L. Swartz,
Appellee.

ORDER TO SHOW CAUSE

FILED

JUL 15 2026

NEBRASKA SUPREME COURT
COURT APPEALS

On May 19, 2026, the Appellant timely appealed from the Hamilton County District Court's decree of dissolution. However, Appellant did not file a request for the preparation of the bill of exceptions at that time. On July 8, 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):

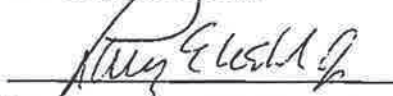
Request by Appellant. Appellant shall file a request to prepare a bill of exceptions in the office of the clerk of the court from which the appeal is taken at the same time the notice of appeal is filed. Failure to file such request at the same time the notice of appeal is filed shall be deemed as a 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.

Appellant, having failed to allege good cause for this failure or request leave, 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 15th day of July, 2026.

BY THE COURT:


Lawrence E. Welch, Judge



000107614NSC

BILL OF EXCEPTIONS REPLACEMENT ORDER

FILED

JUL 15 2026

TRIAL COURT CASE #: CI15-136
APPELLATE CASE #: A-26-0420

TRIAL COURT JUDGE: Cox
REPLACEMENT ORDER DATE:

NEBRASKA SUPREME COURT
COURT APPEALS

SECTION	NEEDS CORRECTION	Nebraska Court Rule / JUSTICE Requirement	COMMENTS
TITLE PAGE - Case Caption - Case Number - Volume Contents - Presiding Judge - Parties Present - Hearing dates	☒		Trial Court Case number is incorrect in volume II
ARE VOLUME NUMBERS CONSECUTIVE?	☐	JUSTICE coding requires volume numbers to match the Register of Actions	
INDEXES Accuracy	☒	§ 2-105.01(D)(1)	Exhibits 86 and 87 added to Volume 3. Index only indicates Ex 71-85.
WITNESS INDEX COLUMNS Direct, cross, redirect, & recross	☐	§ 2-105.01(D)(1)(a)	
MOTIONS INDEX COLUMNS Where made, ruled on	☐	§ 2-105.01(D)(1)(b)	
EXHIBIT INDEX COLUMNS Marked, offered, ruled on, and volume found	☐	§ 2-105.01(D)(1)(c)	
BOOKMARKS - Testimony Volume - Documentary Exhibit Volume	☐	§ 2-105.01(D)(2)	
SEPARATE EXHIBIT VOLUMES	☐	§ 2-105.02(A)	
EXHIBITS MARKED AND NUMBERED Each exhibit must have its own page numbering	☐	§ 2-105.02(B)	
DOCUMENTARY EXHIBIT VOLUMES All exhibits that are not audio or video	☐	§ 2-105.02(C)	
PHYSICAL MEDIA EXHIBIT VOLUME FILED IN TRIAL COURT?	☐		
MEDIA EXHIBIT VOLUME One volume for all media	☐	§ 2-105.02(D)(6)	



000107164NSC

Supreme Court of Nebraska
Office of the Clerk

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S-25-000523

State v. Danny R Robinson Jr

By order of the Court re Appt Judge Lee

By order of the Court, the Honorable Patrick M. Lee, District Court Judge for the 9th Judicial District, is appointed to serve as a Nebraska Supreme Court Justice for the case of State v. Robinson, Case No. S-25-0523, currently scheduled for oral argument on the September 2026 Supreme Court Call. See order.

S-25-000759

State v. Tyrice J. Coleman

By order of the Court re Appt Judge Lee

By order of the Court, the Honorable Patrick M. Lee, District Court Judge for the 9th Judicial District, is appointed to serve as a Nebraska Supreme Court Justice for the case of State v. Coleman, Case No. S-25-0759, currently scheduled for oral argument on the September 2026 Supreme Court Call. See order.

FILED
JUL 15 2026
NEBRASKA SUPREME COURT
COURT APPEALS

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

In re Appointment

)

)

ORDER

of Judge.

)

IT IS HEREBY ORDERED that the Honorable Patrick M. Lee, District Court Judge for the 9th Judicial District, is appointed to serve as a Supreme Court Justice for *State v. D. Robinson*, Case No. S-25-0523, and *State v. Coleman*, Case No. S-25-0759, currently scheduled for oral argument on the September 2026 Supreme Court Call.

Such appointment shall continue until such time as all issues brought before the Supreme Court during oral argument in the above-captioned cases have been decided.

Dated this 15th day of July 2026.

BY THE COURT:



Chief Justice Jeffrey J. Funke



Supreme Court of Nebraska
Office of the Clerk

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S-25-000351

State ex rel. Counsel for Discipline v. Flynn

Motion Referee to extend Report Due Date

Motion of referee to extend report due date sustained; report due on
or before October 15, 2026.