

Supreme Court of Nebraska
Office of the Clerk

Minutes: September 1, 2026

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S-26-000706

State ex rel. Hilgers v. Weber

By order of the Court re Briefing

By order of the Court, the parties shall file simultaneous briefs on or before 5:00 p.m. on Wednesday, September 2, 2026. See order.

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

STATE EX REL. MICHAEL	)	No. S-26-0706
HILGERS, IN HIS OFFICAL	)	
CAPACITY AS ATTORNEY	)	
GENERAL FOR THE STATE	)	
OF NEBRASKA,	)	ORDER ON BRIEFING
	)	
Relator,	)	
	)	
v.	)	
	)	
BRODEY WEBER, JAMES	)	
BOWERS, TOM DUDEN,	)	
JUSTIN CARLSON, SÄNDRA	)	
WASHINGTON, TOM	)	
BECKIUS, BENNIE SHOBE,	)	
TOGETHER AS THE	)	
LINCOLN CITY COUNCIL,	)	
AND SOULINNE PHAN,	)	
LINCOLN CITY CLERK,	)	
	)	
Respondents.	)	

CASSEL, STACY, PAPIK, FREUDENBERG, BERGEVIN, and VAUGHN, JJ., and
PIRTLE, Judge.

Upon consideration of the filings in the matter,

IT IS ORDERED that the parties are directed to file
simultaneous briefs on or before 5:00 p.m. on Wednesday, September 2,
2026, addressing the following:



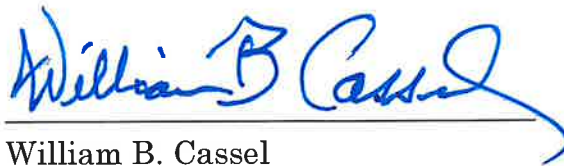
1. When Nebraska Constitution Article XI, Section 4 was adopted in 1912, what was the understanding of the term “next general or special election?”
2. The relevance, if any, of *State ex rel. Castle v. Schroeder et al.*, 79 Neb. 759 (1907) to the proper construction of the phrase of “next general ...election” in Neb. Const. art. XI, sec. 4,
3. If “next general... election” is construed to mean the next statewide general election, would it render any current provision of the Election Act unconstitutional as applied?
4. If “next general... election” is construed to mean the next city general election, would it render any current provision of the Election Act unconstitutional as applied?

IT IS ORDERED that in the simultaneous briefs, the parties may respond to any arguments asserted by the opposing party in either the operative Petition for Writ of Mandamus or the Answer.

IT IS FURTHER ORDERED briefs may not contain more than 7,000 words each and shall be in compliance with Neb. Ct. R. App. P. § 2-103.

Dated this 1st day of September, 2026.

BY THE COURT:



William B. Cassel
Chief Justice Pro Tem