

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000238

In re Interest of Annabella M. & Castiel B.

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

A-25-000756

State v. Jesse J Wilson

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

A-26-000070

State v. Nathaniel J Cullum

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-26-000111

Wiley v. Innovative Homes & Design Inc

Motion of Appellant to Extend Brief Date
Motion sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2),
Appellant's brief date extended to October 13, 2026.

A-26-000134

State v. Michael E Cherry

Mot Appt/X-Apppe Extend Reply Brief Date
Motion sustained; Appellant's reply brief date extended to October 13,
2026.

A-26-000038

State v. Michael E Cherry

Mot Appt/X-Apppe Extend Reply Brief Date
Motion sustained; Appellant's reply brief date extended to October 13,
2026.

A-26-000138

Elhabbal v. Elhabbal

Mot of Appt for Limited Remand
Appellant's motion for limited remand is denied. The district court
has determined to hold the motion in abeyance pending receipt of the
bill of exceptions. It is not withholding a decision on a
jurisdictional basis; therefore, a limited remand would be improper.

A-26-000155

State v. Richard P Schaub

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 granted; 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 relevant sentencing factors
and did not consider any inappropriate factors).

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A-26-000395

Kelley v. Kelley

ROD

Motion Appellant to Dismiss Appeal

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

A-26-000446

Delaney v. Upsolve Inc

Motion Appt Clarification re DC Order

Motion of Appellant for clarification considered and sustained, in part. Any orders arising from case number A-26-0446 remain in full force and effect as it is an active appeal on the merits of the underlying action. Any request for clarification sought regarding an order entered by the district court are overruled without prejudice to seeking relief in the trial court.

A-26-000457

State v. Sterling C Fountain

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 18, 2026.

A-26-000502

State v. Jessica M Caulder

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 18, 2026.

A-26-000563

In re Guardianship of Amelia R.

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-26-000565

Weathers v. Gable

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to October 19, 2026. No further extensions will be allowed without a showing of exceptional cause.

A-26-000571

State v. Kristopher C Snyder

Motion of Appellant to Extend Brief Date

Motion sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to September 30, 2026. Because notice of default has previously been issued, failure to file on or before extended due date will result in dismissal of appeal without further notice from the court.

A-26-000577

Schmidt v. Health and Human Services

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Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions considered; bill of exceptions filed September 8, 2026, accepted as timely.

A-26-000601

State v. Jason R Gundersen

Motion of Appellant to Consolidate Cases

By order of the Court, motion sustained. Cases 26-0601 and 26-0602 consolidated for briefing and disposition.

A-26-000602

State v. Jason R Gundersen

Motion of Appellant to Consolidate Cases

By order of the Court, motion sustained. Cases 26-0601 and 26-0602 consolidated for briefing and disposition.

A-26-000630

State v. Christopher C Bevard

Order to Show Cause re Late BOE Request

Motion of Appellant for leave to request bill of exceptions out-of-time sustained. Preparation of the bill of exceptions as requested in the praecipe for bill of exceptions filed in the trial court on August 26, 2026, shall proceed. Record preparation date re-established to be October 9, 2026.

A-26-000630

State v. Christopher C Bevard

Appellant's Brief Date Re-Established

Bill of exceptions preparation date having been re-established to be October 9, 2026, Appellant's brief date re-established to be November 9, 2026.

A-26-000648

State v. Jose A Valdez

Motion Appt Leave to Request Supp BOE

Motion sustained; Appellant granted leave to file praecipe for supplemental bill of exceptions out of time. Appellant shall file their request within three days of this order.

A-26-000675

State v. Lorenzo Delacruz-Batres

Motion to Withdraw - Jelinske for Appt

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

A-26-000680

State v. BJ J. Rice

ROD

Order to Show Cause re Poverty Aff

There being no response to this court's August 25, 2026, order to show cause, this appeal is dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1). See, Neb. Rev. Stat. § 25-2301.01 et seq. (Reissue 2016); State v. Guardiola, 32 Neb. App. 915, 8 N.W.3d

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253 (2024) (authentication of poverty affidavit by notary public and timeliness of document's filing are jurisdictional issues); State v. Haase, 247 Neb. 817, 530 N.W.2d 617 (1995) (affidavit described in § 25-2301.01 requires hallmarks of affidavit such as signature of affiant and certificate of authorized officer).

A-26-000701

State v. Veronica J Valentine

Motion Appt to Request Discharge of Case

Motion of Appellant to request discharge overruled.

A-26-000737

State v. Matthew T Meagher

Appellant's brief date re-established

By order of the Court, pursuant to Appellant's assertion in their request for bill of exceptions that no such bill of exceptions is expected to be prepared by the district court, Appellant's brief due date is re-established to be October 9, 2026.

A-26-000739

State v. John S Newberry III

By order of the Court re Appeal Stayed

By order of the Court, the proceedings in this matter, including any actions regarding a bill of exceptions, are hereby stayed pending resolution of the denied in forma pauperis application as proscribed by statute.

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S-25-000409

Park 'N Go v. Airport Authority
Motion of Appellee for Rehearing
Motion of Appellee for rehearing overruled.

S-26-000694

State ex rel Hilgers v. Herman
Application-Original Action Quo Warranto
Application for leave to commence an original action granted. See order.

S-26-000706

State ex rel. Hilgers v. Weber
ROD Submission to Court
Peremptory writ issued. Per Curiam. Funke, Chief Justice, not participating. Stacy, Justice, dissenting. Pirtle, Court of Appeals Judge, joins in the dissent.

S-26-000706

State ex rel. Hilgers v. Weber
ROD Writ of Mandamus Issued
Writ of mandamus issued. See writ.

S-26-000706

State ex rel. Hilgers v. Weber
Motion File 2nd Verified Supp Petition
Motion of Petitioner to file 2nd Supplemental Verified Petition overruled as moot.

S-26-000753

Ullman v. Schafer
By order of the Court re Appt J.Freeman
By order of the Court, the Honorable PaTricia Freeman, Court of Appeals Judge, is appointed to serve as a Nebraska Supreme Court Justice for the case of Ullman v. Schafer, Case No. S-26-0753, currently scheduled for oral argument September 30, 2026.

S-26-000753

Ullman v. Schafer
Disclosure of Joshua R. Shasserre, Clerk
Disclosure of Joshua R. Shasserre, Nebraska Supreme Court Clerk. See order.

FILED

SEP 09 2026

NEBRASKA SUPREME COURT
COURT APPEALS

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,	)	WRIT OF
	)	MANDAMUS
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.

TO: RESPONDENTS AS THE MEMBERS OF THE LINCOLN CITY
COUNSEL, AND SOULINNE PHAN, LINCOLN CITY CLERK:

This matter was submitted without oral argument upon the
operative Verified Petition for Writ of Mandamus filed by Relator, the



Response to the Alternative Writ of Mandamus and Answer filed by Respondents, and the briefs filed in the matter by the parties.

Upon consideration thereof,

IT IS ORDERED, ADJUDGED, AND DECREED that Respondents shall forthwith submit the “Term Limits for Members of the City Council” Petition, the “Increase Participation in City Elections by Holding City Elections in Conjunction with Statewide Elections” Petition, and the “Allow all Citizens who are Residents of an Area Governed by the City of Lincoln to Vote in its Elections” Petition to a vote of the qualified electors at the next general election held on November 3, 2026, and then and there return this Writ.

See Opinion. Per Curiam. Stacy, J., and Pirtle, Judge, dissenting.

Dated this 9th of September, 2026.

BY THE COURT:



William B. Cassel
Chief Justice Pro Tem

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

State ex rel. Michael T. Hilgers,)
Attorney General of the State of)
Nebraska, and Lee Polikov,)
Sarpy County Attorney,)

Relators,)

v.)

Demetria Herman, Special)
Sarpy County Attorney,)

Respondent.)

FILED

SEP 09 2026

NEBRASKA SUPREME COURT
COURT APPEALS

Case No. S-26-0694.

ORDER

Upon the Application for Leave to Commence an Original Action and Statement of Jurisdiction filed by Relators Michael T. Hilgers, Attorney General for the State of Nebraska, and Lee Polikov, Sarpy County Attorney,

IT IS ORDERED that Realtors' Application for Leave to Commence an Original Action is granted;

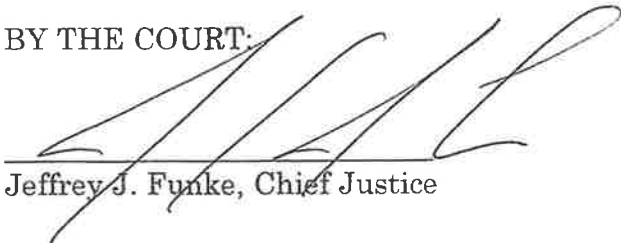
IT IS ORDERED that Respondent Demetria Herman shall file an Answer to the Information within ten (10) days after service of summons or entry of a voluntary appearance;

IT IS ORDERED that Relators shall provide a record from the lower court sufficient for the disposition of this matter; and

IT IS FURTHER ORDERED that upon the filing of the Answer and record in this case, a briefing and argument schedule shall be set by order of this Court.

Dated this 9th day of September 2026.

BY THE COURT:


Jeffrey J. Funke, Chief Justice



FILED

SEP 09 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 PaTricia Freeman, Judge for the Nebraska Court of Appeals, is appointed to serve as a Supreme Court Justice for *Ullman v. Schafer*, Case No. S-26-0753, currently scheduled for oral argument on the October 2026 Supreme Court Call.

Such appointment shall continue until such time as all issues brought before the Supreme Court in the above-captioned case are decided.

Dated this 9th day of September 2026.

BY THE COURT:



Chief Justice Jeffrey J. Funke



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FILED

SEP 09 2026

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

NEBRASKA SUPREME COURT
COURT APPEALS

STATE OF NEBRASKA ex rel.
CARA ULLMAN,

Appellant

v.

ROBERT E. EVNEN, Secretary
of State in his official capacity;
Robert Schafer; Julie Slama; and
Elizabeth Nunnally,

Appellees.

No. S-26-0753

DISCLOSURE

Pursuant to the Nebraska Revised Code of Judicial Conduct, specifically § 5-302.11 (A)(2) and subpart (2) of the Preamble of said Code, I, Joshua R. Shasserre, Clerk of the Supreme Court, shall not personally perform or supervise any of the ministerial functions of the Clerk regarding S-26-0715. All functions of the Clerk in this matter have been and shall be performed under the direction of the Deputy Clerk. I have had no communication with any counsel or party involved with S-26-0715 regarding any issue involved in this matter, and I shall refrain from doing so throughout the pendency of this matter in the Supreme Court. Communications to parties in this matter are automatically generated by the SCCALES system and by default contain my signature. Neither these system-generated notices nor my signature thereupon should be construed as involving my work or direction.

Dated this 9th Day of September, 2026.



Joshua R. Shasserre, Clerk
Nebraska Supreme Court

