

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page:

1

A-24-000886

State v. Jeffrey S Richardson

Mot Appt to Extend Brf in Support M/REH

Motion sustained; Appellant's brief in support of motion for rehearing due on or before February 2, 2026.

A-25-000022

State v. Jeffrey S Richardson

Mot Appt to Extend Brf in Support M/REH

Motion sustained; Appellant's brief in support of motion for rehearing due on or before February 2, 2026.

A-25-000043

Grams v. Minnick

Motion of Appellee for Attorney Fees

Appellee's motion for attorney fees is sustained, in part. Appellant is ordered to pay \$7,500 towards appellee's attorney fees incurred on appeal.

A-25-000045

State v. Marquell M Buie

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 January Review Docket of the Nebraska Court of Appeals.

A-25-000238

In re Interest of Annabella M.

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellee Herbert M.'s brief extended to January 11, 2026.

A-25-000291

Bridgewater Homes, LLC v. Woodsonia Acquisitions, LLC

Ruling Reserved Motion to Withdraw

Motion to withdraw filed by Appellant counsel Connor Orr 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 three days of this order.

A-25-000488

Sullivan v. Sullivan

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled. See Court's prior order of December 11, 2025. Clerk's office to issue default notice accordingly.

A-25-000521

Haley v. Jeffries

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page: 2

App. P. § 2-109(B)(2). The writ of habeas corpus will not lie upon the ground of mere errors and irregularities in the judgment or sentence rendering it not void, but only voidable. *Ballheim v. Settles*, 318 Neb. 873, 19 N.W.3d 748 (2025). The regularity of the proceedings leading up to the sentence in a criminal case cannot be inquired into on an application for writ of habeas corpus, for that matter is available only in a direct proceeding. *Id.*

A-25-000579

State v. Elliot J Johannsen

Motion of Appt to Extend Brief Date

Motion of Appellant to extend brief date overruled. See Court's prior order of December 3, 2025. Clerk's office to issue default notice accordingly.

A-25-000632

State v. Arrlon J Walker

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 district court took the appropriate factors into consideration when sentencing Appellant. The sentences 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-25-000633

State v. Kyle D Macharg

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); *State v. Geller*, 318 Neb. 441, 16 N.W.2d 365 (2025) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-25-000675

State v. Delana Locke

Motion of Appellee to Extend Brief Date

Motion considered; Appellee's brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-25-000709

State v. Storm M Peterson

Motion of Appellant to Extend Brief Date

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

A-25-000745

Nielsen v. Nielsen

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-25-000767

Kruger v. Kruger

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page: 3

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to February 11, 2026.

A-25-000769

State v. Austin J Meyn

Request to Extend Bill Exceptions

Request to extend preparation for bill of exceptions overruled as moot. Bill of exceptions was filed on November 3, 2025, and accepted as filed.

A-25-000770

State v. Austin J Meyn

Request to Extend Bill Exceptions

Request to extend preparation for bill of exceptions overruled as moot. Bill of exceptions was filed on November 3, 2025, and accepted as filed.

A-25-000789

Andersen v. Andersen

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to January 21, 2026.

A-25-000789

Andersen v. Andersen

Appellant's Brief Date Extended

Record preparation date having been extended to January 21, 2026, Appellant's brief date extended to February 20, 2026.

A-25-000810

State v. Sarah A Mangloack

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-25-000831

Alhatel v. Smithfield Foods Inc.

Ruling Reserved Motion Supplemental BOE

Motion of Appellant for leave to request a supplemental bill of exceptions taken under advisement and Appellant is provided seven days to supplement the motion to show cause why request was not made as part of original praecipe as required by Neb. Ct. R. App. P. § 2-105(B)(2)(f).

A-25-000849

Peak vs Collins

ROD APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-25-000850

Peak v Holland Basham Architects

ROD APPT Default Notice Reg/Restricted

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page: 4

By order of the Court, appeal dismissed for failure to file briefs; mandate to issue accordingly.

A-25-000855

State v. Bernard J Spencer

Motion Appt to Extend Brief Date

Motion considered. By order of the Court, Appellant's FINAL brief date extended to February 2, 2026. Failure to file brief by said date subjects appeal to dismissal without further notice due to brief being in default. Further default notice and additional time to file brief pursuant to Neb. Ct. R. App. P. § 2-110(A) shall not apply.

A-25-000862

State v. Suni R Moone

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to February 2, 2026.

A-25-000862

State v. Suni R Moone

Appellant's Brief Date Extended

Record preparation date having been extended to February 2, 2026, Appellant's brief date extended to March 4, 2026.

A-25-000863

State v. Suni R Moone

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to February 2, 2026.

A-25-000863

State v. Suni R Moone

Appellant's Brief Date Extended

Record preparation date having been extended to February 2, 2026, Appellant's brief date extended to March 4, 2026.

A-25-000864

State v. Suni R Moone

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to February 2, 2026.

A-25-000864

State v. Suni R Moone

Appellant's Brief Date Extended

Record preparation date having been extended to February 2, 2026, Appellant's brief date extended to March 4, 2026.

A-25-000865

State v. Suni R Moone

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to February 2, 2026.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page:

5

A-25-000865

State v. Suni R Moone

Appellant's Brief Date Extended

Record preparation date having been extended to February 2, 2026,
Appellant's brief date extended to March 4, 2026.

A-25-000866

Johnson v. City of Omaha

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App. P. § 2-107(A)(1). The district court denied appellant's application to appeal in forma pauperis on November 19, 2025. Appellant then had 30 days to appeal from that order or otherwise pay a docket fee on appeal. See, e.g., Mumin v. Frakes, 298 Neb. 381, 904 N.W.2d 667 (2017). Seeing neither, this court lacks jurisdiction.

A-25-000896

Ahmed v. Allen

Ruling Reserved OSC re Late Payment BOE

Appellant provided an additional seven days to respond to the Court's order to show cause. Failure to respond on or before January 14, 2026 will result in appeal proceeding without Bill of Exceptions since same was not timely requested.

A-25-000902

Murphy v. Murphy

Mot. of Appellee for Summary Dismissal

Appellant appeals from the Sarpy County District Court's November 18, 2025, order that directed the sale of the parties' marital residence and certain vehicles. Other matters raised in the underlying marriage dissolution action remain pending in the district court. Appellee has filed a motion for summary dismissal, claiming there is not yet a final, appealable order. Appellant claims that ordering the sale of these marital assets prior to the entry of a final dissolution decree impacts his substantial rights in a special proceeding, and that there would be no recourse after the sale of such assets because the issue would then be moot. The appellee's motion for summary dismissal is overruled; however, the issue of jurisdiction is reserved and the parties are directed to more fully present their positions on jurisdiction in their briefs to this court.

A-25-000917

State v. Raymond Hughes Sr

Order to Show Cause re Jurisdiction

Cause having been shown, case to proceed.

A-25-000936

Schuller v. Dollar General Corporation

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2 107(A)(1). The district court's order entered November 12, 2025, is not yet a final order. The order did not constitute a final determination of the rights of the parties in a single written and

Court of Appeals of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page: 6

signed document stating all the relief granted or denied in the action. See D&M Roofing & Siding v. Distribution, Inc., 316 Neb. 952, 7 N.W.3d 868 (2024) and Neb. Rev. Stat. § 25-1301(2) (Cum. Supp. 2024). A series of orders is not a substitute for rendering a judgment that states all the relief granted or denied in an action. Elbert v. Keating, O'Gara, 319 Neb. 390, 22 N.W.3d 671 (2025).

A-25-000950

Wiley v. Innovative Homes & Design

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). The November 25, 2025 order, although specifying that any remaining claims for relief are denied, does not meet the requirement of a "single written document" as now specified in Neb. Rev. Stat. § 25-1302(2) (Cum. Supp. 2024), constituting the final determination of the rights of the parties and stating all the relief granted or denied in the action. Therefore judgment has not yet been rendered. See D&M Roofing & Siding v. Distribution, Inc., 316 Neb. 952, 7 N.W.3d 868 (2024).

A-25-000973

State v. Douglas C Sullivan

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 notice of appeal was not filed within 30 days of the district court's sentencing order entered October 31, 2025. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-25-000980

Hill v. Herbig

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2 107(A)(1). Neb. Rev. Stat. § 25-1301(2) (Cum. Supp. 2024) requires judgments to be rendered by signing a single written document stating all of the relief granted or denied in an action. This is not just codification of a preferred practice; it is a jurisdictional prerequisite. See, D&M Roofing & Siding v. Distribution, Inc., 316 Neb. 952, 7 N.W.3d 868 (2024). Because no judgment has yet been rendered in this action, this Court lacks appellate jurisdiction.

Supreme Court of Nebraska
Office of the Clerk

Minutes: January 7, 2026

Page:

1

S-20-000825

State ex rel. Counsel for Discipline v. Castrejon
Motion of Respondent to Set Payment Plan

Upon representation of consent of relator, motion of respondent to establish payment plan sustained. Payment in the amount of \$430.00 due on or before the 15th of each month until total cost of judgment is paid in full. Costs to be paid to the Clerk of the Supreme Court.

S-25-000412

State v. Trenton R Esch

Motion of Appellant for Rehearing

Motion of Appellant for rehearing overruled.

S-25-000699

State ex rel. Counsel for Discipline v. McCarty

Order Show Cause Reciprocal Discipline

Responses to Show Cause Order considered. Parties directed to brief the issue of appropriate discipline. Briefing schedule previously established by order of the court on December 18, 2025.