

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: January 9, 2026

Page:

1

A-25-000118

State v. Kidonnie R Smith

Motion Appt to Continue Oral Argument

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Court of Appeals, to occur on March 10 and 11, 2026.

A-25-000197

Martinez v. Amerigreen, LLC

Motion of Appt Counsel to Cont Oral Arg

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Court of Appeals, to occur on March 10 and 11, 2026.

A-25-000214

Bennett v. Bennett

Motion Appellant Appear Via Video

Motion of Appellant to appear for oral argument via video-conferencing sustained. Clerk's office to make arrangements with counsel.

A-25-000308

Roebuck v. North Platte Public School District

Motion Appt to Continue Oral Argument

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Court of Appeals, to occur on March 10 and 11, 2026.

A-25-000312

State v. Timothy Jacob

Motion of Appt to Continue Oral Argument

Motion of Appellant to continue oral argument sustained. Case to be placed on the next proposed call of the Court of Appeals, to occur on March 10 and 11, 2026.

A-25-000532

In re Interest of Jerika J.

By Order of Court re Record Preparation

Motion for leave to request supplemental bill of exceptions having been sustained, request having been filed, and in forma pauperis having been granted on January 8, 2026, preparation of the bill of exceptions may proceed at the expense of Lancaster County, Nebraska. Record preparation date re-established as February 26, 2026.

A-25-000532

In re Interest of Jerika J.

Appellant's Brief Date Re-Established

By order of the Court, record preparation date having been re-established to be February 26, 2026. Appellant's brief date re-established to be March 30, 2026.

A-25-000695

State v. Willie L Bailey

ROD Mot. of Appellee for Summary Affirmance

Court of Appeals of Nebraska  
Office of the Clerk

Minutes: January 9, 2026

Page: 2

Motion of Appellee for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentence 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-25-000953

Prairie Ridge Circle Assn v. Lafayette

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Record before us includes no disposition of Appellants' counterclaim. In the absence of an express determination that there is no just reason for delay upon an express direction for the entry of judgment, orders adjudicating fewer than all claims or the rights of fewer than all the parties are not final. See, Neb. Rev. Stat. § 25-1315(1) (Reissue 2016); *Clason v. LOL Investments*, 308 Neb. 904, 957 N.W.2d 877 (2021).

A-25-000954

Prairie Ridge Circle Assn v. Lafayette

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Record before us includes no disposition of Appellants' counterclaim. In the absence of an express determination that there is no just reason for delay upon an express direction for the entry of judgment, orders adjudicating fewer than all claims or the rights of fewer than all the parties are not final. See, Neb. Rev. Stat. § 25-1315(1) (Reissue 2016); *Clason v. LOL Investments*, 308 Neb. 904, 957 N.W.2d 877 (2021).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-25-000902

Murphy v. Murphy

Order to Show Cause re Late BOE Payment

Supreme Court of Nebraska  
Office of the Clerk

Minutes: January 9, 2026

Page:

1

S-24-000295

State v. Rickey R Cartwright

ROD Submission to Court

Reversed and remanded with directions. Freudenberg, Justice.

S-24-000791

Streck, Inc. v. Ryan

ROD Submission to Court

Affirmed. Cassel, Justice. Funke, Chief Justice and Miller-Lerman, Justice not participating. Alioth, District Judge, sitting. Papik, Justice, dissenting. Freudenberg, Justice participating in the dissent.

S-25-000011

Bussard v. Bussard

ROD Submission to Court

Affirmed. Stacy, Justice. See Memorandum Opinion.

S-25-000170

State v. John L Lotter

Order Appointing Judges Pirtle & Freeman

By order of the Court, the Honorable Mike Pirtle and the Honorable Patricia Freeman, Judges for the Nebraska Court of Appeals, are appointed to serve as Nebraska Supreme Court Justices for State v. Lotter, Case Nos. S-25-0170, S-25-0171, and S-25-0172, currently scheduled for oral argument on the February 2026 Supreme Court Call. See order.

S-25-000171

State v. John L Lotter

Order Appointing Judges Pirtle & Freeman

By order of the Court, the Honorable Mike Pirtle and the Honorable Patricia Freeman, Judges for the Nebraska Court of Appeals, are appointed to serve as Nebraska Supreme Court Justices for State v. Lotter, Case Nos. S-25-0170, S-25-0171, and S-25-0172, currently scheduled for oral argument on the February 2026 Supreme Court Call. See order.

S-25-000172

State v. John L Lotter

Order Appointing Judges Pirtle & Freeman

By order of the Court, the Honorable Mike Pirtle and the Honorable Patricia Freeman, Judges for the Nebraska Court of Appeals, are appointed to serve as Nebraska Supreme Court Justices for State v. Lotter, Case Nos. S-25-0170, S-25-0171, and S-25-0172, currently scheduled for oral argument on the February 2026 Supreme Court Call. See order.

S-25-000209

State v. Raymond Evans

Motion of Appellee to Extend Brief Date

Motion of Appellee for brief date extension sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date extended to

Supreme Court of Nebraska  
Office of the Clerk

Minutes: January 9, 2026  
January 30, 2026.

Page: 2

S-25-000668

State v. Ross S Lorello III

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellant's brief date extended to February 6, 2029.

S-25-000759

State v. Tyrice J. Coleman

By Order of Court re Replacement BOE

Tendered bill of exceptions considered and deemed not compliant with Neb. Ct. R. App. P. § 2-105.01 and 2-105.02. Said bill of exceptions 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 10 days of the issuance of this order. See attached list of deficiencies to be corrected.

S-25-000885

State v. Sebastian L Dunbar

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to January 29, 2026.

S-25-000885

State v. Sebastian L Dunbar

Appellant's Brief Date Re-Established

Record preparation date having been extended to January 29, 2026, Appellant's brief date extended to March 2, 2026.