

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000226

Duncan v. Infrastructure & Energy Alternatives

By order of the Court re Mandate Recall

A timely petition for further review having been filed on January 21, 2026, improvidently declined, and a mandate having been subsequently issued on January 26, 2026, said mandate is hereby recalled and appeal is reinstated for purposes of the filing of a petition for further review.

A-25-000255

State v. Jordan A Phipps

ROD Petition Appellant for Further Review

Petition of Appellant for further review denied.

A-25-000655

In re Interest of D'myah W.

Neb. Ct. R. App. P. §2-105(C)(5) Notice

Bill of Exceptions preparation date previously extended to January 30, 2025. The court order of January 28, 2026, stated no further extensions will be allowed. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date.

A-25-000718

State v. Elluminati E Prestige

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to March 4, 2026.

A-25-000728

State v. Joseth R Botts

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentence imposed was not an abuse of discretion. See, State v. Hagens, 320 Neb. 65, 26 N.W.3d 174 (2025) (sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court); State v. Greer, 309 Neb. 667, 962 N.W.2d 217 (2021) (sentencing court is not required to articulate on record that it has considered each sentencing factor nor to make specific findings as to facts pertaining to factors or weight given them).

A-25-000760

Bell v. Omaha Housing Authority

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to March 6, 2026.

A-25-000800

State v. Julio L Garcia

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.3d 365

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(2025) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-25-000856

State v. Mason L Shepard

ROD Motion of Appt to Dismiss Appeal

Response having been waived by Appellee, motion of Appellant to dismiss appeal sustained pursuant to Neb. Ct. R. App. P. § 2-108(F).
Mandate to issue accordingly forthwith.

A-25-000945

State v. Eleazar Morales Jr.

Neb. Ct. R. App. P. §2-105(C)(5) Notice

Bill of Exceptions preparation date was January 30, 2026. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date or a request by court reporting personnel for an extension of time to prepare the same.

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S-24-000863

State v. Brittany C Cook

Mot Appt Allow SLS to Present Oral Arg

Motion of Appellant to allow senior certified law student Sydney J. Clark to present oral argument sustained.

S-25-000202

State v. Ryan G Long

Case ordered moved to Sup. Ct. docket

By order of the Nebraska Supreme Court, case moved from Court of Appeals docket to Supreme Court docket.

S-25-000884

State v. James E Myers

Motion Appt to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to March 13, 2026.

S-25-000939

State v. Carrie M Jones

Neb. Ct. R. App. P. §2-105(C)(5) Notice

Bill of Exceptions preparation date was January 30, 2026. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received either the bill of exceptions by the due date or a request by court reporting personnel for an extension of time to prepare the same.