

Court of Appeals of Nebraska
Office of the Clerk

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A-24-000668

Bentley v. Sandhills Aviation, LLC
Motion to Withdraw - Shanks for Appes
Motion to withdraw sustained; Josiah Shanks allowed to withdraw as
counsel of record for Appellees.

A-25-000570

Kunes v. Kunes
Motion Appellant to Extend Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellant's brief date
extended to February 27, 2026.

A-25-000596

Haacke v. Haacke
By order of the Court
Motion to add Exhibit 79 is overruled and motion is stricken. See Neb.
Ct. R. App. P. § 2-105(G) for amendments to bill of exceptions.

A-25-000655

In re Interest of D'myah W.
By Order of Court re Replacement BOE
Tendered bill of exceptions considered. Upon review, the bill of
exceptions transferred from the trial court does not comply with Neb.
Ct. R. App. P. § 2-105.02. See deficiency listing. Said bill of
exceptions is declined and 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 Practices within ten days of the issuance of this order.

A-25-000756

State v. Jesse J Wilson
Motion for appointment of counsel
Motion for appointment of counsel overruled without prejudice to
seeking relief in the trial court.

A-25-000756

State v. Jesse J Wilson
Appellant Notice of Actions w/Attach
Motion denied. See rules of appellate practice governing creation of
record for appeal.

A-25-000807

State obo Azaylia S v. Belitz
Appe Counsel Romero Waive Participation
Motion sustained; Michele Romero allowed to withdraw as counsel for
Appellee Christopher S.

A-25-000932

State obo Azaylia S. v. Lori B.
Appe Counsel Romero Waive Participation
Motion sustained; Michele Romero allowed to withdraw as counsel for
Appellee Christopher S.

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A-25-000826

State v. Alyssa I Raymer

Motion 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-25-000828

State v. Tyrrell A Jenkins

Motion 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-25-000851

State v. Tyrrell A Jenkins

Motion 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-25-000831

Alhatal v. Smithfield Foods Inc.

Supplemental Motion for Limited Remand

Motion overruled. See Neb. Ct. R. App. P. § 2-105(G) for amendments
to bill of exceptions.

A-25-000859

Rubio v. Lopez

By order of the Court

A timely petition for further review having been filed on February 17,
2026, and a mandate having been subsequently issued on February 17,
2026, said mandate is hereby recalled and appeal is reinstated for
purposes of the filing of a petition for further review.

A-25-000870

Stewart v. Repossesors

ROD APPT Default Notice Sent reg/restricted

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

A-25-000911

Gaskin v. Gaskin

By Order of Court re Replacement BOE

Tendered bill of exceptions considered. Upon review, the bill of
exceptions transferred from the trial court does not comply with Neb.
Ct. R. App. P. §§ 2-105.01 and 2-105.02. See deficiency listing. Said
bill of exceptions is declined and 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 Practices within ten days of the issuance of this
order.

A-25-000955

State v. Caleb A Phillips

Order to Show Cause re Late BOE Request

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Motion for leave to file request for bill of exceptions sustained.
Praecipe for bill of exceptions filed January 30, 2026, accepted as
filed. Clerk's office directed to accept and file the prepared bill
of exceptions.

A-25-000955

State v. Caleb A Phillips

Motion Appt to Extend Brief Date

Motion of Appellant for brief date extension sustained. Pursuant to
Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to
March 27, 2026.

A-26-000040

State v. Arthur F Holloway Jr.

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of
exceptions extended to March 27, 2026.

A-26-000040

State v. Arthur F Holloway Jr.

Appellant's Brief Date Extended

Record preparation date having been extended to March 27, 2026,
Appellant's brief date extended to April 27, 2026.

A-26-000060

Weathers v. Gable

Motion Appt leave to file Supp Tran

Motion of Appellant to supplemental transcript overruled; leave of
court not required to request a supplemental transcript from trial
court. See Neb. Ct. R. App. P. § 2-104(C).

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S-24-000628

US Specialty Insurance Company v. DS Avionics Unlimited LLC

By order of the Court re Supp Briefing

Parties are to submit simultaneous supplemental briefs on or before
March 13, 2026. See order.

S-24-000630

DS Avionics Unlimited LLC v. US Specialty Insurance Company

By order of the Court re Supp Briefing

Parties are to submit simultaneous supplemental briefs on or before
March 13, 2026. See order.

S-25-000351

State ex rel. Counsel for Discipline v. Flynn

Motion Counsel Creager to Withdraw

Motion sustained; Robert Creager allowed to withdraw as counsel for
Respondent.

BILL OF EXCEPTIONS DEFICIENCY LISTING

TRIAL COURT CASE #: JV 23-214

TRIAL COURT JUDGE: Sarah M Moore

APPELLATE CASE #: A-25-655

REPLACEMENT ORDER DATE: 2/18/26

NEBRASKA SUPREME COURT
COURT APPEALS

SECTION	NEEDS CORRECTION	Nebraska Court Rule / JUSTICE Requirement	COMMENTS
TITLE PAGE <ul style="list-style-type: none"> • Case Caption • Case Number • Volume Contents • Presiding Judge • Parties Present • Hearing dates 	<input type="checkbox"/>		
ARE VOLUME NUMBERS CONSECUTIVE?	<input type="checkbox"/>	JUSTICE coding requires volume numbers to match the Register of Actions	
INDEXES <ul style="list-style-type: none"> • Accuracy 	<input type="checkbox"/>	§ 2-105.01(D)(1)	
WITNESS INDEX COLUMNS <ul style="list-style-type: none"> • Direct, cross, redirect, & recross 	<input type="checkbox"/>	§ 2-105.01(D)(1)(a)	
MOTIONS INDEX COLUMNS <ul style="list-style-type: none"> • Where made, ruled on 	<input type="checkbox"/>	§ 2-105.01(D)(1)(b)	
EXHIBIT INDEX COLUMNS <ul style="list-style-type: none"> • Marked, offered, ruled on, and volume found 	<input type="checkbox"/>	§ 2-105.01(D)(1)(c)	
BOOKMARKS <ul style="list-style-type: none"> • Testimony Volume • Documentary Exhibit Volume 	<input type="checkbox"/>	§ 2-105.01(D)(2)	
SEPARATE EXHIBIT VOLUMES	<input checked="" type="checkbox"/>	§ 2-105.02(A)	See comments below
The following exhibits need pages rotated: 19, 20, 36, 37,47,48,53,54,67,68,69,71,86,90,91			
EXHIBITS MARKED AND NUMBERED <ul style="list-style-type: none"> • Each exhibit must have its own page numbering 	<input checked="" type="checkbox"/>	§ 2-105.02(B)	See comments below
The following exhibits need consecutive page numbering: 5, 28, 48 Exhibit Stickers need fixed so readable: 36, 45, 53 Exhibits with blank pages: 67 (12,14,16,22) Exhibit 69 shows 17 pages. There is an unreadable exhibit sticker on page 18 and page numbers continue to 45.			
DOCUMENTARY EXHIBIT VOLUMES <ul style="list-style-type: none"> • All exhibits that are not audio or video 	<input type="checkbox"/>	§ 2-105.02(C)	
PHYSICAL MEDIA EXHIBIT VOLUME FILED IN TRIAL COURT?	<input type="checkbox"/>		
MEDIA EXHIBIT VOLUME <ul style="list-style-type: none"> • One volume for all media 	<input type="checkbox"/>	§ 2-105.02(D)(6)	



BILL OF EXCEPTIONS DEFICIENCY LISTING

TRIAL COURT CASE #: C111-4151

APPELLATE CASE #: A-25-911

TRIAL COURT JUDGE: Derek Vaughn

REPLACEMENT ORDER DATE: 2/18/26

NEBRASKA SUPREME COURT
COURT APPEALS

SECTION	NEEDS CORRECTION	Nebraska Court Rule / JUSTICE Requirement	COMMENTS
TITLE PAGE <ul style="list-style-type: none"> • Case Caption • Case Number • Volume Contents • Presiding Judge • Parties Present • Hearing dates 	<input checked="" type="checkbox"/>		Vol 1 - Hearing date Aug 12, 2025 is listed on title page, but not transcribed. Vol 5 – Title page does not identify Exhibits 191-195 contained in volume
ARE VOLUME NUMBERS CONSECUTIVE?	<input type="checkbox"/>	JUSTICE coding requires volume numbers to match the Register of Actions	
INDEXES <ul style="list-style-type: none"> • Accuracy 	<input type="checkbox"/>	§ 2-105.01(D)(1)	
WITNESS INDEX COLUMNS <ul style="list-style-type: none"> • Direct, cross, redirect, & recross 	<input type="checkbox"/>	§ 2-105.01(D)(1)(a)	
MOTIONS INDEX COLUMNS <ul style="list-style-type: none"> • Where made, ruled on 	<input type="checkbox"/>	§ 2-105.01(D)(1)(b)	
EXHIBIT INDEX COLUMNS <ul style="list-style-type: none"> • Marked, offered, ruled on, and volume found 	<input type="checkbox"/>	§ 2-105.01(D)(1)(c)	
BOOKMARKS <ul style="list-style-type: none"> • Testimony Volume • Documentary Exhibit Volume 	<input checked="" type="checkbox"/>	§ 2-105.01(D)(2)	See comments below.
		Volume 1 Bookmark for hearing date July 12, 2025 is bookmarked as July 21, 2025 Volumes 2, 3, 4, and 5 needs bookmarks for each exhibit.	
SEPARATE EXHIBIT VOLUMES	<input type="checkbox"/>	§ 2-105.02(A)	
EXHIBITS MARKED AND NUMBERED <ul style="list-style-type: none"> • Each exhibit must have its own page numbering 	<input checked="" type="checkbox"/>	§ 2-105.02(B)	Exhibit 166 page numbering needs to start on page with exhibit sticker
DOCUMENTARY EXHIBIT VOLUMES <ul style="list-style-type: none"> • All exhibits that are not audio or video 	<input type="checkbox"/>	§ 2-105.02(C)	
PHYSICAL MEDIA EXHIBIT VOLUME FILED IN TRIAL COURT?	<input type="checkbox"/>		
MEDIA EXHIBIT VOLUME <ul style="list-style-type: none"> • One volume for all media 	<input type="checkbox"/>	§ 2-105.02(D)(6)	



IN THE SUPREME COURT OF THE STATE OF NEBRASKA

U.S. Specialty Insurance Company,)
)
 Appellee,)
)
 v.)
)
 D S Avionics Unlimited LLC,)
)
 Appellant.)
)
 D S Avionics Unlimited LLC,)
)
 Appellant,)
)
 v.)
)
 U.S. Specialty Insurance Company,)
)
 Appellee.)

Nos. S-24-628 and S-24-630

FILED

FEB 18 2026

NEBRASKA SUPREME COURT
COURT APPEALS

**ORDER FOR
SUPPLEMENTAL BRIEFING**

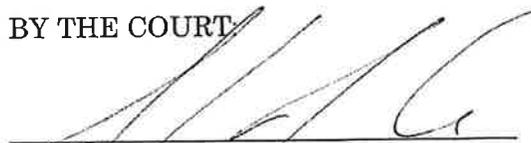
After considering the parties' briefs in support of and resistance to the motion for attorney fees and costs filed by DSA Avionics Unlimited LLC (DSA) following the issuance of our opinion in these consolidated cases, the Court on its own motion orders the parties to submit supplemental briefs, not exceeding 3,800 words, addressing the following questions:

1. Whether DSA's request for attorney fees and costs in No. S-17-1101 is timely under Neb. Ct. R. App. P. § 2-106(G)(2).
2. Whether an insured may recover attorney fees on appeal under Neb. Rev. Stat. § 44-359 when an appellate court determines there is coverage, but the amount of damages, if any, has not yet been determined.
3. Whether an insured may recover attorney fees for the work of in-house counsel who is also a member and manager of the appellant corporation and upon whose affidavit and deposition the appellant relied in the proceedings.

IT IS THEREFORE ORDERED that the parties submit simultaneous supplemental briefs on or before March 13, 2026, addressing the questions noted above. The matter shall then be scheduled for oral argument before Nebraska the Supreme Court.

Dated this 18th day of February 2026.

BY THE COURT



Chief Justice Jeffrey J. Funke

