

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000364

Patubo v. Health Carousel LLC

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

A-25-000448

McReynolds v. McReynolds

By order of the Court: Court Designation
By Order of the Court, due to clerical error, case incorrectly removed from the Court of Appeals' docket and erroneously transferred to the Supreme Court's docket. Case removed from the April 27, 28, or 29 2026 Supreme Court Proposed Call. Case to remain on the Court of Appeals' docket.

A-25-000756

State v. Jesse J Wilson

Motion Appt Leave to Request Supp BOE
Motion of Appellant for leave to request supplemental bill of exceptions denied without prejudice to seeking amendment to bill of exceptions under Neb. Ct. R. App. § 2-105(G), if Appellant believes previously requested bill of exceptions was not made part of the record.

A-25-000802

In re Interest of Aurora B.

Motion Appe/Cross Appt Ext. Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended. Appellee's brief filed on March 12, 2026, accepted as timely.

A-25-000835

Smith v. Taylor

Motion Appe Taylor re Bill of Exceptions
Motion of Appellee for leave to file request for supplemental bill of exceptions sustained. Appellee shall file praecipe with the trial court and supplement appellate record within three days of this order.

A-25-000855

State v. Bernard J Spencer

Order to Show Cause re: Late BOE Request
Following response of Appellant to this court's order to show cause issued February 25, 2026, the motion for leave to request bill of exceptions out-of-time is denied. Neb. Ct. R. App. P. § 2-105(B)(2)(a) requires Appellant to request the bill of exceptions at the same time as the Notice of Appeal. Neb. Ct. R. App. P. § 2-105(B)(2)(f) provides that thereafter, no request for bill of exceptions may be filed without leave of the appellate court for good cause shown, which cause shall not be in a party's reasonable control. Here, the Appellant's stated cause is that Appellant misread the statute, but the praecipe was not filed until nearly 30 days after the notice of appeal, it was not accompanied by a request for leave, and a pro se litigant is held to the same standard as a party represented by counsel. See State v. Lindsay 246 Neb. 101. Taken together, Appellant's statement does not

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present good cause and the matter shall proceed without a bill of exceptions as provided by rule.

A-25-000855

State v. Bernard J Spencer

Motion of Appt to Extend Brief Date

Motion of Appellant to extend reply brief date sustained; Appellant's reply brief date extended to March 23, 2026. No further extensions will be allowed.

A-25-000897

State obo Zayn T v. London T.

ROD APPT Default Notice - sent reg & cert

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

A-25-000911

Gaskin v. Gaskin

Ruling Reserved re Motion to Withdraw

Motion to withdraw filed by Appellee's counsel, James A. Adams, 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 notice.

A-25-000918

Npimnee v. Jeffries

Ruling Reserved re Appt Mot to Extend

Motion of Appellant to extend brief date held under advisement pending showing of good cause for additional time within 10 days of the date of this order. See Neb. Ct. R. App. P. § 2-106(E).

A-25-000920

State v. Wesley J Stayberg

Motion of 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 April 13, 2026. No further extensions will be allowed.

A-25-000928

State v. Keith T Lassiter

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 Practice within ten days of the issuance of this order.

A-25-000986

Anderson v. Anderson

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Neb. Ct. R. App. P. §2-105(C)(5) Notice
Bill of Exceptions preparation date was March 2, 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.

A-25-000989

In re Interest of Jermiyas R.

Neb. Ct. R. App. P. §2-105(C)(5) Notice
Bill of Exceptions preparation date was March 3, 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.

A-25-000994

Npimnee v. Jeffreys

Ruling Reserved re Appt Mot to Extend
Motion of Appellant to extend brief date held under advisement pending
a general showing of need for additional time within 10 days of the
date of this order. See Neb. Ct. R. App. P. § 2-106(E).

A-26-000002

Hartgrave v. Nebraska Dept. of Health and Human Services

Neb. Ct. R. App. P. §2-105(C)(5) Notice
Bill of Exceptions preparation date was March 6, 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.

A-26-000013

Parrish v. Parrish

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

A-26-000013

Parrish v. Parrish

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 the
requirement of JUSTICE programming that bill of exceptions volumes be
labeled and consecutively numbered. 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 Practice within ten days of the issuance of this order.

A-26-000042

State v. Johnny Hawkins Jr

Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of

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exceptions extended to April 9, 2026.

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A-26-000042

State v. Johnny Hawkins Jr
Appellant's Brief Date Extended
Record preparation date having been extended to April 9, 2026,
Appellant's brief date extended to May 11, 2026.

A-26-000045

Macaulay v. Worrell
Neb. Ct. R. App. P. §2-105(C)(5) Notice
Bill of Exceptions preparation date was March 11, 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.

A-26-000046

In re Interest of Karyme S.
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 Practice within ten days of the issuance of this order.

A-26-000049

Sundelin v. Grasmick
Neb. Ct. R. App. P. §2-105(C)(5) Notice
Bill of Exceptions preparation date was March 11, 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.

A-26-000059

Montgomery v. Bataillon
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 Practice within ten days of the issuance of this
order.

A-26-000075

Olson v. B&R Stores, Inc.
Request to Extend Bill Exceptions
Request for extension of time for preparation of bill of
exceptions granted. Bill of Exceptions filed on March 11, 2026,

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accepted as timely.

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A-26-000133

Williams v. Williams

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. 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 Practice within ten days of the issuance of this order.

A-26-000138

Elhabbal v. Elhabbal

Order to Show Cause re late BOE request

Cause having been shown, request for bill of exceptions filed March 2, 2026, accepted as filed. Preparation of bill of exceptions re-established to be April 30, 2026.

A-26-000138

Elhabbal v. Elhabbal

Appellant's Brief Date Re-Established

Record preparation date having been re-established to April 30, 2026, Appellant's brief date re-established to June 1, 2026.

A-26-000162

State v. Myles L Wesson

Motion to Withdraw - McClung for Appt

Motion to withdraw sustained; Rebecca A. McClung allowed to withdraw as counsel for Appellant.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000116

State v. Brian K Adams

Order to Show Cause re: Late BOE Request

A-26-000117

Gregory v. Department of Correctional Services

Order to Show Cause re: Late BOE Request

A-26-000141

Myers v. Albin

Order to Show Cause re Late BOE Payment

IN THE NEBRASKA COURT OF APPEALS

| | | |
|----------------|---|----------------------------|
| |) | No. A-26-0141 |
| Heather Myers, |) | |
| Appellee, |) | |
| v. |) | |
| |) | ORDER TO SHOW CAUSE |
| Pam Albin, |) | |
| Appellant. |) | |

Appellant timely appealed from the Pierce County District Court’s order granting the Appellee’s request for a protection order. The Appellant timely filed a notice of appeal and praecipe for a bill of exceptions. Notice of the estimated cost for the bill of exceptions was provided on February 26, 2026, noting that the estimated amount had to be paid within 7 days. See Neb. Ct. R. App. P. § 2-105(B)(4)(b). The Appellant did not timely deposit payment for the estimated cost by the due date and a notice of failure to pay the estimated cost of the bill of exceptions was filed March 6, 2026. On March 10, the court reporter filed a notice indicating that the Appellant had paid the estimated cost of the bill of exceptions on that date.

Although an untimely payment for the estimated cost of the bill of exceptions has been made, pursuant to Neb. Ct. R. App. P. § 2-105(B)(4):

(c) Failure to Make Deposit. If the requesting party fails to timely make the required deposit of the estimated cost of preparation, the clerk of the trial court shall transmit a notice thereof to the Clerk and to the court reporting personnel responsible for making the record. Thereafter, unless leave of the appellate court for an extension of time to make the deposit is granted for good cause shown, the appeal shall proceed as if no bill of exceptions had been requested.

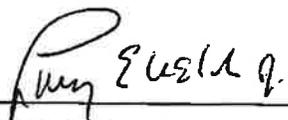
The Appellant, having failed to request, and receive, leave of this appellate court for an extension of time to make the deposit for good



cause shown, are hereby ordered to show cause, within 7 days of the date of this order, why the appeal should not proceed as if no bill of exceptions had been requested.

Dated this 12TH day of MARCH, 2026.

BY THE COURT:



Lawrence E. Welch, Judge

IN THE NEBRASKA COURT OF APPEALS

State of Nebraska,)
Appellee,)
v.)
Brian Adams,)
Appellant.)

No. A-26-0116

ORDER TO SHOW CAUSE

Appellant timely appealed from the Lancaster County District Court's order denying his motion for postconviction relief. On February 17, 2026, Appellant timely filed a notice of appeal and request for bill of exceptions which requested that the district court clerk prepare the bill of exceptions for "all hearings held" in the matter. That same day, the court reporter indicated that "no specific dates were requested. Therefore, I am unable to complete a Bill of Exceptions." On March 6, 2026, Appellant filed a request for the preparation of the bill of exceptions with specific hearing dates.

Pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(a):

Request by Appellant. Appellant shall file a request to prepare a bill of exceptions in the office of the clerk of the court from which the appeal is taken at the same time the notice of appeal is filed. Failure to file such request at the same time the notice of appeal is filed shall be deemed as a waiver of appellant of the right to request a bill of exceptions, unless pursuant to subsection (f) below the appellate court grants appellant leave to request a bill of exceptions out of time.

And, pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f), late requests for the preparation of the bill of exceptions may not be filed "without leave of the appellate court for good cause shown, which cause shall not be within a party's reasonable control." Appellant has not requested leave of this court or alleged good cause for the failure to file a timely request for bill of exceptions.

Appellant, having failed to allege good cause for this failure is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no request has been made.

Dated this 12th day of MARCH, 2026.

BY THE COURT:



Lawrence E. Welch, Judge



IN THE NEBRASKA COURT OF APPEALS

| | | |
|--------------------------------|---|----------------------------|
| Grant Gregory, |) | No. A-26-0117 |
| Appellant, |) | |
| |) | |
| v. |) | |
| |) | |
| Lancaster Dept of Corrections, |) | ORDER TO SHOW CAUSE |
| Appellee. |) | |
| |) | |

Appellant timely appealed from the Lancaster County District Court’s order dismissing his complaint. On February 17, 2026, Appellant timely filed a notice of appeal, however, Appellant did not file a request for bill of exceptions or transcript at that time. On February 26, 2026, Appellant filed a request for the preparation of the bill of exceptions which was mislabeled as a request for transcript and a request for transcript which was mislabeled as a request for bill of exceptions. On March 2, 2026, Appellant filed a motion requesting leave to file a request for the bill of exceptions out of time. Because his request for bill of exceptions was construed as a request for transcript, the Clerk of the Nebraska Supreme Court and Nebraska Court of Appeals filed a notice on March 5, 2026, overruling Appellants’ request for preparation of the bill of exceptions out of time indicating that “no late request for bill of exceptions has been made.”

Pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(a):

Request by Appellant. Appellant shall file a request to prepare a bill of exceptions in the office of the clerk of the court from which the appeal is taken at the same time the notice of appeal is filed. Failure to file such request at the same time the notice of appeal is filed shall be deemed as a waiver of appellant of the right to request a bill of exceptions, unless pursuant to subsection (f) below the appellate court grants appellant leave to request a bill of exceptions out of time.

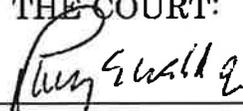
And, pursuant to Neb. Ct. R. App. P. § 2-105(B)(2)(f), late requests for the preparation of the bill of exceptions may not be filed “without leave of the appellate court for good cause shown, which cause shall not be within a party’s reasonable control.” Appellant has not alleged good cause for the failure to file a timely request for bill of exceptions.

Appellant, having failed to allege good cause for this failure is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no request has been made.

Dated this 12th day of March, 2026.



BY THE COURT:



Lawrence E. Welch, Judge

BILL OF EXCEPTIONS DEFICIENCY LISTING

| | |
|--|--|
| TRIAL COURT CASE #: CR24-416 APPELLATE CASE #: A-25-928 | TRIAL COURT JUDGE: Susan Strong REPLACEMENT ORDER DATE: 3/12/26 |
|--|--|

| 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"/> | <input type="checkbox"/> Volume 2 Title page shows exhibit 1 is included, it is not. | |
| 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 checked="" type="checkbox"/> | § 2-105.01(D)(1) | See comments below |
| | <input type="checkbox"/> | <input type="checkbox"/> Index reflects exhibit 1 is in volume 2, it is not. | |
| 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)© | |
| BOOKMARKS <ul style="list-style-type: none"> • Testimony Volume • Documentary Exhibit Volume | <input type="checkbox"/> | § 2-105.01(D)(2) | See comments below |
| 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) | See comments below |
| | <input type="checkbox"/> | <input type="checkbox"/> Title page and Exhibit Index indicate Exhibit 1 is in volume 2, it is not. | |
| 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 #: CI19-930 | TRIAL COURT JUDGE: Kevin McManaman |
| APPELLATE CASE #: A-26-13 | REPLACEMENT ORDER DATE: 3/12/26 |

| 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"/> | | Volumes 1 and 2 were filed with trial court on 6/28/22 containing hearings 10/5/21, 11/23/21, 1/31/22. These new volumes need to be numbered 3,4,5,6,and 7, which will change the exhibit index list in volume 1. |
| ARE VOLUME NUMBERS CONSECUTIVE? | <input checked="" type="checkbox"/> | JUSTICE coding requires volume numbers to match the Register of Actions | See comment above. |
| INDEXES <ul style="list-style-type: none"> • Accuracy | <input type="checkbox"/> | § 2-105.01(D)(1) | See comments below |
| 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) | See comments below |
| 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 type="checkbox"/> | § 2-105.02(B) | See comments below |
| 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) | |



000107021NSC

FILED

MAR 12 2026

NEBRASKA SUPREME COURT
COURT APPEALS**BILL OF EXCEPTIONS DEFICIENCY LISTING**TRIAL COURT CASE #: CI18-723
APPELLATE CASE #: A-26-133TRIAL COURT JUDGE: Patrick M Lee
REPLACEMENT ORDER DATE: 3/12/26

| SECTION | NEEDS CORRECTION | Nebraska Court Rule / JUSTICE Requirement | COMMENTS |
|---|-------------------------------------|---|--|
| TITLE PAGE • Case Caption • Presiding Judge • Case Number • Parties Present • Volume • Hearing dates • Contents | <input type="checkbox"/> | | |
| ARE VOLUME NUMBERS CONSECUTIVE? | <input type="checkbox"/> | JUSTICE coding requires volume numbers to match the Register of Actions | |
| INDEXES • Accuracy | <input type="checkbox"/> | § 2-105.01(D)(1) | See comments below |
| WITNESS INDEX COLUMNS • Direct, cross, redirect, & recross | <input type="checkbox"/> | § 2-105.01(D)(1)(a) | |
| MOTIONS INDEX COLUMNS • Where made, ruled on | <input checked="" type="checkbox"/> | § 2-105.01(D)(1)(b) | <input type="checkbox"/> Motion to Intervene does not reflect where in record motion was made and where motion was ruled on. |
| EXHIBIT INDEX COLUMNS • Marked, offered, ruled on, and volume found | <input type="checkbox"/> | § 2-105.01(D)(1)(c) | |
| BOOKMARKS • Testimony Volume • Documentary Exhibit Volume | <input type="checkbox"/> | § 2-105.01(D)(2) | See comments below |
| CERTIFICATE | <input checked="" type="checkbox"/> | § 2-105.01(F) | Certificate is to be on last page of verbatim BOE, not attached separately. |
| SEPARATE EXHIBIT VOLUMES | <input type="checkbox"/> | § 2-105.02(A) | |
| EXHIBITS MARKED AND NUMBERED • Each exhibit must have its own page numbering | <input type="checkbox"/> | § 2-105.02(B) | See comments below |
| DOCUMENTARY EXHIBIT VOLUMES • 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 • One volume for all media | <input type="checkbox"/> | § 2-105.02(D)(6) | |



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BILL OF EXCEPTIONS DEFICIENCY LISTING

| | |
|-------------------------------|--------------------------------------|
| TRIAL COURT CASE #: CI24-8814 | TRIAL COURT JUDGE: Duane C Dougherty |
| APPELLATE CASE #: A-26-59 | REPLACEMENT ORDER DATE: 3/12/26 |

| 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 checked="" type="checkbox"/> | § 2-105.01(D)(1) | See comments below |
| | <input type="checkbox"/> | <input type="checkbox"/> Volume 1 Index does not reflect that exhibits 25,26,27,28,30,31 as ruled on and found in Volume 2. <input type="checkbox"/> Volume1 Index shows that exhibit 54 is in volume 2, it is not. | |
| 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) | See comments below |
| 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) | See comments below |
| | <input type="checkbox"/> | <input type="checkbox"/> Vol 2 contains two exhibits 11 (beginning pages 68 and 11) <input type="checkbox"/> Vol 2 contains two exhibits 12 (beginning pages 72 and 115) <input type="checkbox"/> Exhibit 12 beginning page 72 is not numbered <input type="checkbox"/> Exhibit 13 last two pages are not numbered | |
| 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 #: JV 23-278 | TRIAL COURT JUDGE: Mary MZ Stevens |
| APPELLATE CASE #: A-26-46 | REPLACEMENT ORDER DATE: 3/12/26 |

| 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) | See comments below |
| 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)© | |
| BOOKMARKS <ul style="list-style-type: none"> • Testimony Volume • Documentary Exhibit Volume | <input type="checkbox"/> | § 2-105.01(D)(2) | See comments below |
| 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) | See comments below |
| | | | <input type="checkbox"/> Exhibits 78,79,80,81 & 82, page numbering needs to start on exhibit sticker page. <input type="checkbox"/> Exhibits 32,37,51,74,83 & 84 need consecutive page numbering |
| 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) | |

