

Court of Appeals of Nebraska
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A-25-000176

Dunham v. Dunham

Sub of Cnsl Schmit for Koukol Johnson

Substitution of counsel Angela Schmit allowed. Michael Milone, Wendy Wussow, and the law firm of Koukol Johnson Schmit & Milone, LLC allowed to withdraw as counsel for Appellant.

A-25-000177

Dunham v. Dunham

Sub of Cnsl Schmit for Koukol Johnson

Substitution of counsel Angela Schmit allowed. Michael Milone, Wendy Wussow, and the law firm of Koukol Johnson Schmit & Milone, LLC allowed to withdraw as counsel for Appellant.

A-25-000337

Dunham v. Dunham

Sub of Cnsl Schmit for Koukol Johnson

Substitution of counsel Angela Schmit allowed. Michael Milone, Wendy Wussow, and the law firm of Koukol Johnson Schmit & Milone, LLC allowed to withdraw as counsel for Appellant.

A-25-000338

Dunham v. Dunham

Sub of Cnsl Schmit for Koukol Johnson

Substitution of counsel Angela Schmit allowed. Michael Milone, Wendy Wussow, and the law firm of Koukol Johnson Schmit & Milone, LLC allowed to withdraw as counsel for Appellant.

A-25-000792

In re Guardianship of Nataly G.

Mot Law College Leave file Amicus Brief

Motion of the University of Nebraska College of Law Immigration Clinic for leave to file amicus curiae brief sustained. Brief shall be filed no later than ten days prior to oral argument. See Neb. Ct. R. App. P. § 2-109(A)(4)(b).

A-25-000893

State v. Jesse J Widick

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date overruled. Default notice to issue.

A-25-000911

Gaskin v. Gaskin

Replacement Brief Due

Pursuant to Neb. Ct. R. App. P. § 2-109(F), the original brief of Appellant filed on May 5, 2026, is stricken. Replacement brief ordered and limited to correction of the following deficiencies: pagination and spacing in conformity with Neb. Ct. R. App. P. § 2-103.

Replacement brief of Appellant is due on or before May 11, 2026. Failure to file a timely replacement brief in compliance with this order may subject Appellant to the issuance of a default notice pursuant to Neb. Ct. R. App. P. § 2-110(A).

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A-25-000985

Lane v. Alegent Health-Bergan Mercy HS
Motion of Appellant 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
May 15, 2026.

A-25-000994

Npimnee v. Jeffreys
By order of the Court Appe Brf Extension
By order of the Court, Appellee brief date extended to May 1, 2026.

A-26-000041

State v. Levi R McAlevy
Motion of Appellant to Extend Brief Date
Motion of Appellant for brief date extension sustained, in part.
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date
extended to June 5, 2026.

A-26-000048

In re Interest of Savannah K.
Motion Appt Leave to File Supp. BOE
Motion of Appellant for leave to file a supplemental bill of
exceptions overruled as briefs have been filed.

A-26-000048

In re Interest of Savannah K.
Motion Appt Leave to File Supp. Trans
Motion of Appellant for leave to request a supplemental transcript
overruled. See Neb. Ct. R. App. P. § 2-104(C).

A-26-000052

State v. Danny D Sutton Jr.
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
June 3, 2026. No further extensions will be allowed.

A-26-000053

State v. Danny D Sutton Jr.
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
June 3, 2026. No further extensions will be allowed.

A-26-000079

Vogel v. Vogel
Motion of Appellant to Extend Brief Date
Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date
extended to June 5, 2026.

A-26-000138

Elhabbal v. Elhabbal

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Motion Appt Ext Brf & Briefing Schedule
Motion considered; Appellant's brief in chief filed on April 15, 2026, accepted as filed. Further briefing by Appellee and subsequent reply brief of Appellant deadlines stayed pending resolution of the appeal denying in forma pauperis filed in A-26-0163. Preparation of the bill of exceptions will be revisited upon final resolution of the in forma pauperis appeal.

A-26-000142

State v. Kurt ONeal

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

A-26-000173

State v. Carl H Dooley

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

A-26-000177

Arsiaga v. Glaxosmithkline Consumer Healthcare d/b/a Haleon

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

A-26-000180

In re Interest of Atticus C.

Request to Extend Bill Exceptions
Request for extension granted; time for preparation of bill of exceptions extended to May 20, 2026.

A-26-000180

In re Interest of Atticus C.

Appellant's Brief Date Extended
Record preparation date having been extended to May 20, 2026, Appellant's brief date extended to June 22, 2026.

A-26-000188

Blume v. Blume

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)(2), Appellant's brief date extended to May 22, 2026.

A-26-000227

State v. Jeffrey C Fauble

Ruling Reserved on Motion to Withdraw
Motion to withdraw filed by Appellant counsel, Michael Fitzpatrick, taken under further 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

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within seven days of this notice. Failure to supplement will result in denial of motion.

A-26-000240

Depue v Mid-America Vulcanizing Inc

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. Court reporter directed to consolidate bill of exceptions into fewer volumes. Should court reporter need technological assistance, court reporter may contact Clerk's office to obtain help. Court reporter directed to include exhibits listed in appendix to Appellant's request for bill of exceptions. Neb. Ct. R. App. P. § 2-105(B)(2)(b) does not require an exhibit to be associated with a requested hearing date to be included in the bill of exceptions. Court reporter is further ordered to remove any certificate contained in the bill of exceptions that is not specifically authorized by court rule. 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 the above-referenced rules and this order within ten days of the issuance of this order.

A-26-000248

State v. Daniel R Navarrette

Request to Extend Bill Exceptions

Request for extension granted; bill of exceptions filed May 6, 2026, accepted as timely.

A-26-000248

State v. Daniel R Navarrette

Appellant's Brief Date Extended

Record preparation date having been extended and bill of exceptions having been filed on May 6, 2026, Appellant's brief date extended to June 5, 2026.

A-26-000274

State v. Nichole J Jabar

ROD

Order to Show Cause re Jurisdiction

Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). This court issued an Order to Show Cause on April 23, 2026, to which no response was filed. The notice of appeal filed on April 13, 2026, was signed by Debra Scarlett, on behalf of Appellant. There is no indication that Scarlett is an attorney duly licensed to practice law in the State of Nebraska. See Neb. Rev. Stat. § 7-101 (Reissue 2022). A legal proceeding in which a party is represented by a person not admitted to practice law is a nullity and is subject to dismissal. Kelly v. Saint Francis Medical Center, 295 Neb. 650, 889 N.W.2d 613 (2017); Steinhausen v. HomeServices of Neb., 289 Neb. 927, 857 N.W.2d 816 (2015). No proper notice of appeal has been timely filed following the March 25, 2026, sentencing order. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

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A-26-000292

Douglas County, Nebraska v. Dewey
OSC re Late Supplemental BOE Request
Motion of Appellant for leave to request bill of exceptions out of time due to clerical error sustained. Appellant shall file their request for bill of exceptions in the trial court within three days of this order.

A-26-000295

Byrnes v. Kroger
Motion Appt for Supplemental Transcript
Motion of Appellant to request supplemental transcript overruled as leave is not required to request supplemental transcripts from the trial court. See Neb. Ct. R. App. P § 2-104(C).

A-26-000301

State v. Kyle D Gustavson
Ruling Reserved re Motion to Withdraw
Motion to withdraw filed by counsel for Appellant, Oluseyi O. Olowolafe 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-26-000328

State v. Noah Shields
Motion of Appt to Request BOE & Trans
Motion of Appellant for leave to request bill of exceptions out of time sustained. Appellant shall file their request within three days of this order. Motion to request a supplemental transcript overruled as leave is not required. See Neb. Ct. R. App. P. § 2-104(C).

A-26-000331

State v. Farog M Farog
Motion to Withdraw - Molvar for Appt
Motion of counsel for Appellant to withdraw, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained. Todd Molvar allowed to withdraw as counsel for Appellant.

A-26-000341

Frey v Kelly
By Order of Court Re Stricken Attachment
By order of the Court, attachments to the notice of appeal, filed by Appellant on April 28, 2026, are stricken as improper means of submitting record on appeal. See Neb. Ct. App. P. § 2-104(A)(1).

A-26-000343

State v. Travis J Hohbein
Motion to Withdraw Meyerle for Appt
Motion of counsel for Appellant to withdraw, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained. Matthew F. Meyerle allowed to withdraw as counsel for Appellant.

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ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000342

In re Interest of Briley B.

Order to Show Cause re Summary Affirm

BILL OF EXCEPTIONS DEFICIENCY LISTING

TRIAL COURT CASE #: CI 17-430 APPELLATE CASE #: A-26-240	TRIAL COURT JUDGE: Geoffrey Hall REPLACEMENT ORDER DATE: 5/6/26
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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 13 description should be 451-476 instead of 415-476 >Vol 18 caption states exhibit 501 and should be 503 >Pages 123 and 124 of Vol 1 (and in any other volume where these pages appear (ie. vol 19) need to be removed.
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)(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
			>Vol 1 missing bookmarks for hearing dates, motions and exhibits



BILL OF EXCEPTIONS DEFICIENCY LISTING (Continued)

SEPARATE EXHIBIT VOLUMES	<input checked="" type="checkbox"/>	§ 2-105.02(A)	See comments below																																																																		
	<p>>Exhibits listed on pages 123 and 124 of Vol 1 need to be produced and incorporated into an exhibit volume</p> <p>>Vol 2 – exhibits are not in numerical order.</p> <p>>Exhibit 380 is split between volumes 3 – 7 and can be consolidated into 2 volumes and still be filed within the file size limit.</p> <p>>Exhibit 385 is split between 8 volumes and can be consolidated into 5 volumes and still be filed within the file size limit</p> <table style="margin-left: auto; margin-right: auto; border: none;"> <thead> <tr> <th style="text-align: left;">Vol</th> <th style="text-align: left;">Pages</th> <th style="text-align: left;">File Size</th> <th style="text-align: left;">Vol</th> <th style="text-align: left;">Pages</th> <th style="text-align: left;">File Size</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>125</td> <td>1.925 KB</td> <td>11</td> <td>51</td> <td>40.2 MB</td> </tr> <tr> <td>2</td> <td>111</td> <td>7.6 MB</td> <td>12</td> <td>26</td> <td>40.8 MB</td> </tr> <tr> <td>3</td> <td>199</td> <td>554 KB</td> <td>13</td> <td>27</td> <td>34.4 MB</td> </tr> <tr> <td>4</td> <td>197</td> <td>485 KB</td> <td>14</td> <td>25</td> <td>29.5 MB</td> </tr> <tr> <td>5</td> <td>46</td> <td>920 KB</td> <td>15</td> <td>29</td> <td>34.3 MB</td> </tr> <tr> <td>6</td> <td>101</td> <td>34.4 MB</td> <td>16</td> <td>36</td> <td>41.7 MB</td> </tr> <tr> <td>7</td> <td>56</td> <td>40.9 MB</td> <td>17</td> <td>360</td> <td>24.5 MB</td> </tr> <tr> <td>8</td> <td>138</td> <td>2.5 MB</td> <td>18</td> <td>246</td> <td>5.8 MB</td> </tr> <tr> <td>9</td> <td>338</td> <td>998 KB</td> <td>19</td> <td>47</td> <td>1313 KB</td> </tr> <tr> <td>10</td> <td>39</td> <td>1.110 KB</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			Vol	Pages	File Size	Vol	Pages	File Size	1	125	1.925 KB	11	51	40.2 MB	2	111	7.6 MB	12	26	40.8 MB	3	199	554 KB	13	27	34.4 MB	4	197	485 KB	14	25	29.5 MB	5	46	920 KB	15	29	34.3 MB	6	101	34.4 MB	16	36	41.7 MB	7	56	40.9 MB	17	360	24.5 MB	8	138	2.5 MB	18	246	5.8 MB	9	338	998 KB	19	47	1313 KB	10	39	1.110 KB			
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