

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000948

Salguero-Arriaza v. Navarijo-Davila

Case Review re Rule 2-111 Submission

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1). Accordingly, matter removed from the September Proposed Call of the Nebraska Court of Appeals.

A-25-000982

Lee v. Omaha Housing Authority

ROD

Early Case Review

Affirmed. See Neb. Ct. R. App. P. § 2-107(A)(2). Appellants filed their claim with OHA on October 31, 2023. The 6-month waiting period required under the Political Subdivision Torts Claim Act (PSTCA), Neb. Rev. Stat. § 13-901 et seq. (Reissue 2022), would have expired on May 1, 2024 (6 months after October 31, 2023). OHA had not made final disposition when appellants filed their complaint in district court on March 21, 2024. Appellants therefore prematurely withdrew their claim and failed to satisfy a condition precedent to commencement of a lawsuit. As a result, the complaint fails to state a claim upon which relief can be granted, and the district court did not err in granting the motion for summary judgment. See Hedglin v. Esch, 25 Neb. App. 306, 905 N.W.2d 105 (2017).

A-26-000261

State v. Grantt A Crear

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-26-000310

State v. Brandon M Cox

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-26-000324

Schimek v. Pillen

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; bill of exceptions filed July 21, 2026, accepted as filed.

A-26-000324

Schimek v. Pillen

Appellant Brief Date Extended

Bill of exceptions having been filed July 21, 2026, Appellant's brief date extended to August 20, 2026.

A-26-000342

In re Interest of Briley B.

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to August 17, 2026.

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A-26-000361

In re Interest of D'myah W.

Motion of Appellant to Extend Brief Date

Motion to extend brief date overruled as bill of exceptions has not been filed and brief is not due. Brief date will reset, if needed, upon Clerk's acceptance of properly filed bill of exceptions. See Neb. Ct. R. App. P. § 2-105(C)(5).

A-26-000367

Bayson v. Southeast Community College

Replace Brief Appt -ATTACHMENTS STRICKEN

By order of the Court, attachments to the brief of Appellant, filed on July 22, 2026 are stricken. See Neb. Ct. R. App. P. §§ 2-104(A)(1) and 2-109(C)(1).

A-26-000367

Bayson v. Southeast Community College

Mot Appt Leave to file corrected pages

Motion of Appellant for leave to file corrected pages to the brief of Appellant sustained. Appellant shall file corrected pages with this court within seven days of this order.

A-26-000388

State v. Paul A Duffek

ROD

Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The district court took the appropriate factors into consideration when sentencing Appellant. The court adequately stated its reasoning for the sentence of incarceration on the record as required by Neb. Rev. Stat. § 29-2204.02(3) (Reissue 2016). See State v. Baxter, 295 Neb. 496, 888 N.W.2d 726 (2017). The 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-26-000406

Swartz v. Swartz

Ruling Reserved On OSC re Late BOE Req

Appellant provided an additional seven days to respond to the court's July 15, 2026, order to show cause. Failure to timely respond or show good cause will result in appeal to proceed without a bill of exceptions.

A-26-000470

Jill of All Trades, LLC v. Schleidt

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

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

A-26-000520

In re Estate of Runge

Order to Show Cause re Late Request BOE
Cause having been shown, supplemental request for bill of exceptions
filed July 6, 2026, accepted. Time for preparation for bill of
exceptions re-established to September 24, 2026. Trial court clerk to
notify court reporting personnel to proceed with estimate and payment
process as set forth in Neb. Ct. R. App. P. § 2-105(B)(4)(b).

A-26-000520

In re Estate of Runge

Appellant's Brief Date Re-Established
Record preparation date having been re-established as September 24,
2026, Appellant's brief date re-established as October 26, 2026.

A-26-000522

State v. Matthew J Lickliter

Order Show Cause re: Amended BOE Request
Motion of Appellant for leave to request bill of exceptions out of
time sustained. Bill of exceptions accepted as filed on July 23, 2026.

A-26-000536

Sasges v. Sasges

Order to Show Cause re Fail to Pay BOE
Cause having been shown, payment of estimated cost of bill of
exceptions made on July 14, 2026, accepted. Trial court clerk to
notify court reporting personnel that preparation of bill of
exceptions may proceed.

A-26-000540

State v. Paul D Brooks

Motion to Withdraw - Aerni for Appellant
Motion sustained; F. Matthew Aerni allowed to withdraw as counsel for
Appellant.

A-26-000570

State v. Warren D Arledge

Motion to Withdraw Morris for Appellant
Motion of Seth Morris to withdraw as counsel for Appellant, having
been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is
sustained.

A-26-000573

State v. Jayden M Blake

Ruling Reserved on Motion to Withdraw
Ruling reserved pending supplementation of appellate record showing
trial court order allowing withdrawal and appointment of Counsel
Jeanelle Kleveland.

A-26-000583

State v. Juaquez Johnson

Ruling Reserved on Motion to Withdraw

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Motion to withdraw as counsel by attorney Jacobs considered and held under advisement. Attorney Jacobs directed to file for withdrawal as counsel, and if appropriate, for appointment of replacement counsel, with the trial court. Upon supplementation of appellate record showing trial court order ruling on attorney Jacob's motion to withdraw as counsel, attorney Jacobs's motion to withdraw as counsel filed in this court will be reconsidered. Motion will be overruled without further notice if appellate record is not supplemented as indicated within ten days.

A-26-000594

State v. Jonathan N Andersen

Motion to Withdraw Egger for Appellant

Motion of Kristi Egger to withdraw as counsel for Appellant, having been made in compliance with Neb. Ct. R. App. P. § 2-106(F), is sustained.

A-26-000606

In re Guardianship of Cambrie B.

By order of the Court re: BOE Prep Date

Trial court having failed to timely transmit the notice of appeal to the appellate court, bill of exceptions preparation date re-established to be September 14, 2026.

A-26-000606

In re Guardianship of Cambrie B.

Appellant's Brief Date Re-Established

Record preparation date having been re-established to be September 14, 2026, Appellant's brief date re-established to be October 14, 2026.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000256

Jetz Service Co., Inc. v. Olderbak Enterprises North, LLC

Order to Show Cause re Late BOE Request

A-26-000574

In re Interest of Emmett E.

Order to Show Cause re Late BOE Request

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S-25-000914

NEBCO, Inc. v. T5 Development, LLC

Petition Appt to Bypass Court of Appeals

Petition of Appellant to bypass review by the Court of Appeals denied.

S-25-000914

NEBCO, Inc. v. T5 Development, LLC

By order of the Court re Case Movement

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

S-26-000322

State v. Avery R Tyler

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.

S-26-000436

State v. Manuel A Mesa Cabrera

Motion to W/D Platte Co Public Defenders

Motion sustained; Chelsey Hartner and Barbara Masilko allowed to withdraw as counsel for Appellant.

FILED**JUL 23 2026**NEBRASKA SUPREME COURT
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

Jetz Service Co., Inc.,)

No. A-26-0256

Appellee,)

v.)

Olderbak Enterprises North LLC,)

ORDER TO SHOW CAUSE

d/b/a Annabell Gardens,)

Appellant.)

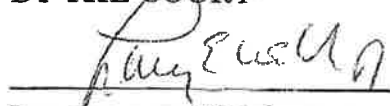
The Appellant has appealed from an order of the Lancaster County District Court. Appellant timely filed a notice of appeal, request for transcript, and request for bill of exceptions on April 8, 2026. Appellant requested that the bill of exceptions include proceedings held on February 5, 2026, and exhibits offered during a February 23, 2026, hearing. On June 16, 2026, Appellant filed a request for supplemental bill of exceptions requesting the bill of exceptions include all proceedings held on February 5, 2026, and all exhibits offered during the February 5, 2026, hearing. On July 20, 2026, the Appellant filed a second praecipe for bill of exceptions requesting the same without leave of this court.

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 to file an untimely request for the preparation of a supplemental bill of exceptions.

The Appellant, having failed to request and receive leave of this court to file an untimely request for a supplemental bill of exceptions, is ordered to show cause, within 7 days of this order, why the appeal should not proceed as if no praecipe for a supplemental bill of exceptions had been requested.

Dated this 23rd day of July, 2026.

BY THE COURT:



Lawrence E. Welch, Judge

000107187NSC

IN THE NEBRASKA COURT OF APPEALS

In re Estate of Emmett Eden,
Appellant.

No. A-26-0574

ORDER TO SHOW CAUSE

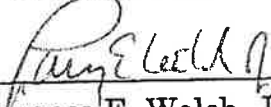
On July 13, 2026, the Appellant appealed from an order of the Juvenile Court of Madison County. The Appellant filed a timely request for preparation of the bill of exceptions requesting that the clerk prepare a bill of exceptions to include hearing held on May 8 and June 11, 2026. On July 16, 2026, the Appellant filed an amended request for bill of exceptions requesting the same hearings but amending one of the requested hearing dates to May 7, 2026.

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 to request an amended bill of exceptions.

Appellant, having failed to seek leave or allege good cause for Appellant's untimely request, 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 23rd day of July, 2026.

BY THE COURT:



Lawrence E. Welch, Judge

FILED

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NEBRASKA SUPREME COURT
COURT APPEALS

