

Court of Appeals of Nebraska
Office of the Clerk

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A-26-000059

Montgomery v. Bataillon

ROD

Mot. of Appellee for Summary Affirmance

Appellees' motion for summary affirmance is sustained. Case affirmed. See Neb. Ct. R. Pldg. § 6-1101 (rev. Nov. 13, 2024; effective Jan. 1, 2025) (amended rules applicable to cases pending as of January 1, 2025). Appellees' answer was filed on December 13, 2024, and the amended answer was filed January 10, 2025, within 30 days of filing their original answer. See Neb. Ct. R. Pldg. § 6-1115 (rev. Nov. 13, 2024; effective Jan. 1, 2025). District court did not err in denying discovery from a non-party. See Neb. Ct. R. Disc. §§ 6-333 and 6-334. Summary judgment in favor of appellees was appropriate where affidavit established appellees met standard of care and appellant failed to rebut this with expert testimony to the contrary. See, Boyle v. Welsh, 256 Neb. 118, 589 N.W.2d 118 (1999) (attorney's affidavit opining his conduct met standard of conduct sufficient to establish prima facie case he did not commit legal malpractice); Wolski v. Wandel, 275 Neb. 266, 746 N.W.2d 143 (2008) (requiring expert testimony on standard of conduct in attorney malpractice action). An expert is not required to testify to the underlying facts or data before stating an opinion. See Neb. Rev. Stat. § 27-705 (Reissue 2016).

A-26-000120

In re Estate of Urbanovsky

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance overruled.

A-26-000122

State v. Gabrielle M Williams

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to August 26, 2026.

A-26-000123

State v. Gabrielle M Williams

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to August 26, 2026.

A-26-000124

State v. Gabrielle M Williams

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to August 26, 2026.

A-26-000125

State v. Gabrielle M Williams

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to August 26, 2026.

A-26-000245

State v. Jose A Sanchez

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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-26-000349

State v. Hilary F Everett

Motion of Appellant to Extend Brief Date

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

A-26-000362

State v. Jcauri S.

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date
extended to August 3, 2026.

A-26-000466

State v. Isaac L Meyer

Motion of Appellant to Extend Brief Date

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

A-26-000498

Schmidt v. Stephenson

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date
extended to October 16, 2026.

A-26-000542

Tyler v. Legacy Point Emerald

ROD

Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction pursuant to Neb. Ct. R. App.
P. § 2-107(A)(1). No appeal can be taken from an order that grants a
motion to dismiss a complaint but allows time in which to file an
amended complaint; such a conditional order is not a judgment. Nichols
v. Nichols, 288 Neb. 339, 847 N.W.2d 307 (2014).

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000549

State obo Mirandi W. v. Ragle and Kendra W.

Order to Show Cause re Jurisdiction 8/6

FILED

JUL 27 2026

NEBRASKA SUPREME COURT
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

State on behalf of Mirandi W.,	)	No. A-26-549.
	)	
Appellee,	)	
	)	
v.	)	
	)	
Chance R.,	)	
	)	ORDER TO SHOW CAUSE
Appellant,	)	
	)	
and	)	
	)	
Kendra W.,	)	
	)	
Appellee.	)	

This matter comes before this court in the course of a jurisdictional review. The record before this court does not include a copy of the parties' parenting plan referenced in the district court's June 12, 2026 Order, as required by Neb. Rev. Stat. § 43-2929 (Reissue 2016). A dissolution decree or modification order that does not incorporate a parenting plan is not a final, appealable order. See *Bhuller v. Bhuller*, 17 Neb. App. 607, 767 N.W.2d 813 (2009). Appellant has 10 days to provide this court with a supplemental transcript containing a copy of the parties' parenting plan.

Failure to respond shall be cause for this appeal to be summarily dismissed pursuant to Neb. Ct. R. App. P. § 2-107(A)(1).

Dated this 27th day of July, 2026.

BY THE COURT:



Francie C. Riedmann, Chief Judge



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