

Court of Appeals of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page:

1

A-24-000818

Millard Gutter Company v. Farmers Mutual Insurance

Motion Appt to Extend Reply Brief Date

Motion sustained; Appellant's reply brief date extended to September 17, 2025.

A-24-000873

State v. Maurice J Thomas

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date extended to September 8, 2025. No further extensions will be allowed.

A-25-000059

Kudlacek v. Olson Zalewski Wynner, LLP

Motion of Appellant to Exceed Word Limit

Motion sustained; Appellant's brief word limit including brief in chief and reply brief combined expanded to 16,500 words.

A-25-000117

Fischer v. Southeast Community College

Mot Appt Ext Reply Brf Date & Word Count

Motion sustained; Appellant's reply brief date extended to August 29, 2025. Brief word limit, to include Appellant's brief in chief and reply brief, expanded to 19,000 words.

A-25-000176

Dunham v. Dunham

Motion of Appellant to Expand Word Limit

Motion sustained; Appellant's word count limit to include both brief in chief and reply brief expanded to 20,000 words. Appellant's brief with expanded word count accepted as filed.

A-25-000177

In re Interest of Cooper D.

Motion of Appellant to Expand Word Limit

Motion sustained; Appellant's word count limit to include both brief in chief and reply brief expanded to 20,000 words. Appellant's brief with expanded word count accepted as filed.

A-25-000337

Dunham v. Dunham

Motion of Appellant to Expand Word Limit

Motion sustained; Appellant's word count limit to include both brief in chief and reply brief expanded to 20,000 words. Appellant's brief with expanded word count accepted as filed.

A-25-000338

In re Interest of Cooper D.

Motion of Appellant to Expand Word Limit

Motion sustained; Appellant's word count limit to include both brief in chief and reply brief expanded to 20,000 words. Appellant's brief with expanded word count accepted as filed.

Court of Appeals of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page:

2

A-25-000212

Storm v. Cornutt

Mot Appt Release Sealed Test & Ext Brf

Motion of Appellant to extend brief date sustained. Appellant's brief due on or before August 26, 2025. As clerk's office has provided the entire record to Appellant's counsel, motion to provide record is denied without prejudice to seeking relief from the trial court under § 2-105(G) as Appellant believes item was requested in praecipe but not provided.

A-25-000242

Mitchell v. Mitchell

Motion Appt to Vacate 7/31 Court Order

Motion of Appellant to vacate courts July 31, 2025 order overruled.

A-25-000246

Artisan Pools, Inc. v. Siemer

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 5, 2025.

A-25-000246

Artisan Pools, Inc. v. Siemer

Ruling Reserved Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Robert Sherrets, 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. Compliance shall be provided to the Court within three days of this notice.

A-25-000285

State v. Leopoldo Munoz

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 10, 2025.

A-25-000291

Bridgewater Homes, LLC v. Woodsonia Acquisitions, LLC

Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to September 22, 2025.

A-25-000314

State v. Zacchaeus A Jackson

Mot Appe to Consolidate 25-314/315/316

Motion sustained; cases 25-0314, 25-0315 and 25-0316 consolidated for further briefing and disposition.

A-25-000315

State v. Zacchaeus A Jackson

Motion Appellee to Consolidate

Court of Appeals of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page: 3

Motion sustained; cases 25-0314, 25-0315 and 25-0316 consolidated for further briefing and disposition.

A-25-000316

State v. Zacchaeus A Jackson

Motion of Appellee to Consolidate

Motion sustained; cases 25-0314, 25-0315 and 25-0316 consolidated for further briefing and disposition.

A-25-000317

Vance v. Peterson

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 12, 2025.

A-25-000323

Merritt v. Seward Co Board of Commissioners

ROD Motion Appellant to Dismiss Appeal

Motion of Appellant to dismiss appeal sustained; appeal dismissed; mandate to issue accordingly.

A-25-000340

Ackerman v. Barber

ROD APPT Default Notice

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

A-25-000347

State v. Daniel C McAuley

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 10, 2025.

A-25-000370

State v. Jeramy M Elrod

Motion of Appellee to Extend Brief Date

Motion considered; Appellee's FINAL brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-25-000375

State v. Edward S Ming

Motion of Appellee to Extend Brief Date

Motion considered; Appellee's FINAL brief date extended to 14 days after court's ruling on Appellee's motion for summary affirmance.

A-25-000405

State v. Jestin C Holland

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 17, 2025.

A-25-000424

Robinson v. Gable

Motion Appt to Ext Response to Summ/Aff

Court of Appeals of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page: 4

Motion sustained. Appellant's response to Appellee's motion for summary affirmance due on or before August 26, 2025.

A-25-000426

Peak v. Barfield-Peak

ROD APPT Default Notice

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

A-25-000437

Slosburg v. Nebraska Department of Revenue

Motion Appt Leave to Pay Out of Time

Motion of Appellant for leave to request bill of exceptions out of time sustained.

A-25-000437

Slosburg v. Nebraska Department of Revenue

By order of the Court Record Preparation

By order of the Court; time for preparation for bill of exceptions re-established to September 29, 2025.

A-25-000437

Slosburg v. Nebraska Department of Revenue

Brief Date Re-established

Record preparation date having been re-established to September 29, 2025, Appellant's brief date extended to October 29, 2025.

A-25-000474

State v. Auston K Dormer

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to September 12, 2025.

A-25-000487

State v. Jameson D Vannier

Motion to Withdraw Brinegar for Appt

Motion sustained; David Brinegar. allowed to withdraw as counsel for Appellant.

A-25-000502

State v. Cindy K Sparks

Supplemental Transcript Pages 1-4

Amended request to correct a scrivener's error within the bill of exceptions allowed without leave of court.

A-25-000520

Burch v. Burch

OSC re Late Supplemental BOE Request

Motion of Appellant for leave to request supplemental bill of exceptions out of time sustained.

A-25-000578

State v. Christopher Williams

OSC re: Amended BOE Request

Court of Appeals of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page:

5

Motion sustained; Amended motion for leave to request bill of out-of-time accepted as filed.

A-25-000578

State v. Christopher Williams

By order of the Court Record Prep Date

By order of the Court; time for preparation for bill of exceptions re-established to September 12, 2025.

A-25-000578

State v. Christopher Williams

Brief Date Re-established

Record preparation date having been re-established to September 12, 2025, Appellant's brief date extended to October 14, 2025.

A-25-000581

State v. Jeffrey S Barnes

ROD Application-Error Proceedings

State's application for leave to docket an appeal/error proceeding is denied. Neb. Rev. Stat. § 29-2315.01 (Cum. Supp. 2022) applies to review of rulings or decisions made during prosecution of a case following entry of final order. See also State v. Wieczorek, 252 Neb. 705, 565 N.W.2d 481 (1997) (holding order entered during pendency of criminal cause is final only when no further action is required to completely dispose of cause pending).

A-25-000599

Bernt v. Bernt

Mot Appt for Leave Req BOE Out of Time

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.

Supreme Court of Nebraska
Office of the Clerk

Minutes: August 13, 2025

Page:

1

S-25-000310

State v. Keiandre T Kellogg

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date
extended to September 12, 2025.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

S-25-000601

State ex rel Condon v. Braaten

Order to Show Cause re Jurisdiction