

Court of Appeals of Nebraska
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A-25-000679

Guerrero v. Hohensee

ROD Submitted to Court without Oral Argument
Affirmed. Piccolo, Judge. See Memorandum Web Opinion.

A-25-000713

Npimnee v. Freeman

ROD Submitted to Court without Oral Argument
Reversed and remanded with directions. Bishop, Judge. (P)

A-25-000778

Miller v. Edwards

ROD Submitted to Court without Oral Argument
Appeal dismissed. Pirtle, Judge. See Memorandum Opinion.

A-26-000019

State v. Armando Mendoza Carranza

ROD Submission to Court re: Plea
Affirmed. Riedmann, Chief Judge. See Memorandum Web Opinion.

A-26-000110

State v. Trenton Titsworth-Hunt

ROD Submission to Ct. re: Excessive Sentence
Affirmed as modified. Welch, Judge. See Memorandum Web Opinion.

A-26-000299

State v. Adam C Nyhoff

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance is sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). The sentence imposed was not an abuse of discretion. See, State v. Hagens, 320 Neb. 65, 26 N.W.3d 174 (2025) (sentence imposed within statutory limits will not be disturbed on appeal in absence of abuse of discretion by trial court); State v. Hagens, 320 Neb. 65, 26 N.W.3d 174 (2025) (it is not proper function of appellate court to conduct de novo review of record to determine what sentence it would impose).

A-26-000326

State v. Jose Lima

ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance granted. See Neb. Ct. R. App. P. § 2-107(B)(2). Sentences 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-26-000367

Bayson v. Southeast Community College

Mot Appt Expedited Consider/Emerg Relief
Appellant's motion for expedited consideration and emergency relief pending appeal is denied in its entirety. The purpose of a preliminary injunction is to preserve the parties' relative positions until a trial on the merits can be held. Ramaekers v. Creighton, 312, Neb.

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248, 978 N.W.2d 298 (2022), citing University of Texas v. Camenisch, 451 U.S. 390, 101 S.Ct. 1830, 68 L. Ed.2d 175 (1981). An appellate court has the inherent power to issue such supersedeas or restraining orders as may be necessary to protect or enforce its jurisdiction, or to protect the status quo pending the appeal to prevent irreparable pecuniary damage. State ex rel. Phoenix Loan Co. v. Marsh, 139 Neb. 290, 297 N.W. 551 (1941). However, Appellant has not provided a scenario with the delayed lawsuit where failure to reinstate him to the program pending appeal would result in irreparable harm to him.

A-26-000378

State v. Trey L Norton

By order of the Court re BOE Prep Date

By order of the Court, time for preparation of supplemental bill of exceptions established to be September 10, 2026. Trial court clerk directed to notify court reporting personnel of new preparation date.

A-26-000378

State v. Trey L Norton

Appellant Brief Date Re-Established

Preparation date of supplemental bill of exceptions having been established to be September 10, 2026, Appellant's brief date extended to October 13, 2026.

A-26-000401

State v. Tracy D Johnson

Motion of Appellee to Extend Brief Date

Motion sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to September 30, 2026.

A-26-000410

State v. Jonathan J Matul

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-26-000659

State v. Patrick A Bigboy

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's notice of appeal was not filed within 30 days of the district court's sentencing order, entered on July 7, 2026. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-26-000660

State v. Patrick A Bigboy

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's notice of appeal was not filed within 30 days of the district court's sentencing order, entered on July 7, 2026. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-26-000661

State v. Patrick A Bigboy

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ROD Misc Submission to Court re Jurisdiction
Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant's notice of appeal was not filed within 30 days of the district court's sentencing order, entered on July 7, 2026. See Neb. Rev. Stat. § 25-1912(1) (Cum. Supp. 2024).

A-26-000681

Rowe v. Rowe

ROD Misc Submission to Court re Jurisdiction
Appeal dismissed. See Neb. Ct. R. App. P. § 2-107(A)(1). The dissolution decree was entered on June 23, 2026, followed by motions for new trial filed by both parties on July 2. No decision on appellant's motion is contained in the record. When a motion terminating the 30-day appeal period is filed, a notice of appeal filed before the court announces its decision upon the terminating motion has no effect and an appellate court acquires no jurisdiction. See Neb. Rev. Stat. § 25-1912(3) (Cum. Supp. 2024); State v. Bellamy, 264 Neb. 784, 652 N.W.2d 86 (2002).

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S-26-000533

State ex rel. Counsel for Discipline v. Mullen
Joint Mot/Stip extend date Respond to FC
Stipulation allowed; Respondent's answer to formal charges due
September 14, 2026.

S-26-000715

State ex rel. Ullman v. Evnen
ROD Application/OA/Pet for Writ of Mandamus
Application for leave to commence an original action denied.

S-26-000720

State ex rel. Davis v. Evnen
Application OA/Pet for Writ of Mandamus
Application for leave to commence an original action granted. Verified
petition filed and schedule established. See signed order.

S-26-000720

State ex rel. Davis v. Evnen
Alternative Writ of Mandamus
Alternative writ of mandamus issued. See signed writ.

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

S-26-000720

State ex rel. Davis v. Evnen
Alternative Writ of Mandamus

IN THE SUPREME COURT OF THE STATE OF NEBRASKA

State ex rel. Al Davis, Dawn
Essink, and Jovanora Galbreath,

Relators,

v.

Robert Evnen, Nebraska
Secretary of State,

Respondent.

Case No. S-26-0720

ORDER

FILED

SEP 01 2026

NEBRASKA SUPREME COURT
COURT APPEALS

This matter came on for consideration on the 1st day of September 2026, upon the Emergency Application for Leave to Commence an Original Action, Statement of Jurisdiction, and Verified Petition for Writ of Mandamus filed by Relators Al Davis, Dawn Essink and JoVanora Galbreath.

Upon consideration thereof,

IT IS ORDERED, that Relators' Emergency Application for Leave to Commence an Original Action is granted, the verified petition be filed, and an alternative writ of mandamus issue forthwith;

IT IS ORDERED the answer date in the alternative writ of mandamus is established as 12 p.m. Wednesday, September 2, 2026;

IT IS ORDERED that any person(s) seeking to intervene shall file an appropriate motion on or before 12 p.m. Wednesday, September 2, 2026;

IT IS HEREBY ORDERED that the parties and any interested persons granted intervention shall file simultaneous briefs on or before 3 p.m. Thursday, September 3, 2026. No reply briefs shall be allowed. No extension of brief date shall be allowed.

IT IS FURTHER ORDERED that the matter shall be submitted without oral argument.

Dated this 1st day of September 2026.

BY THE COURT:



000107764NSC

Jeffrey J. Funke, Chief Justice

State ex rel. Al Davis, Dawn
Essink, and Jovanora Galbreath,

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Robert Evnen, Nebraska
Secretary of State,

Respondent.

Case No. S-26-0720

ALTERNATIVE WRIT

FILED

SEP 01 2026

NEBRASKA SUPREME COURT
COURT APPEALS

TO: THE HONORABLE Robert Evnen, Nebraska Secretary of State:

This matter came on for consideration on the 1st day of September, 2026, upon the Emergency Application for Leave to Commence an Original Action, Statement of Jurisdiction, and Verified Petition filed by Relators Al Davis, Dawn Essink, and JoVanora Galbreath.

Upon consideration thereof,

IT IS ORDERED, ADJUDGED, AND DECREED that Respondent shall certify for placement on the November 3, 2026, General Election Ballot, the “Protect Nebraskans’ Initiative & Referendum Powers Constitutional Amendment” or show cause by Answer to this Court on or before 12 p.m. Wednesday, September 2, 2026, why a peremptory writ commanding Respondent to do so should not issue, and then and there return this writ.

Dated this 1st day of September 2026.

BY THE COURT:

Jeffrey J. Funke, Chief Justice



000107848NSC