

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000532

In re Interest of Jerika J. et al.

ROD Submitted to Court without Oral Argument

Affirmed. Pirtle, Judge. See Memorandum Web Opinion.

A-25-000755

State obo Trevor G. v. Wigget

ROD Submitted to Court without Oral Argument

Affirmed. Piccolo, Judge. See Memorandum Web Opinion.

A-25-000832

In re Interest of Esperanza C.

Motion Appe HHS to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000990

In re Interest of Esperanza C.

Motion Appe HHS to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000832

In re Interest of Esperanza C.

Appe GAL Waiver of Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000832

In re Interest of Esperanza C.

Motion Appe State to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000990

In re Interest of Esperanza C.

Motion Appe State to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000832

In re Interest of Esperanza C.

Motion of Appt to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000990

In re Interest of Esperanza C.

Motion of Appt to Waive Oral Argument

Motion of Appellee to waive oral argument sustained.

A-25-000832

In re Interest of Esperanza C.

By order of the Court re SWOA

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 Call of the Nebraska Court of Appeals.

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A-25-000990

In re Interest of Esperanza C.

By order of the Court re SWOA

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 Call of the Nebraska Court of Appeals.

A-25-000857

State v. Christopher M Snyder

ROD Submitted to Court without Oral Argument

Affirmed. Pirtle, Judge. See Memorandum Web Opinion.

A-25-000898

Warner v. Estate of Warner

Motion of Appellee Warner Cont Oral Arg

Motion of Appellee to continue oral argument sustained. Case to be placed on the November Proposed Call of the Nebraska Court of Appeals, to occur on November 9, 17, and 18, 2026.

A-25-000898

Warner v. Estate of Warner

Mot Appe Continue OA - Dorwart

Motion of Appellee to continue oral argument sustained. Case to be placed on the November Proposed Call of the Nebraska Court of Appeals, to occur on November 9, 17, and 18, 2026.

A-25-000990

In re Interest of Esperanza C.

Appe GAL Waiver of Oral Argument

Motion of Appellee to waive oral argument sustained.

A-26-000011

State v. Catherine A Hempfling

Order to Show Cause re Mootness 8/18

By order of the Court, assigned error relating to length of sentence is moot. See opinion.

A-26-000011

State v. Catherine A Hempfling

ROD Submission to Court re: Plea

Affirmed. Bishop, Judge. See Memorandum Web Opinion.

A-26-000257

Mitchell v. Union Pacific Railroad Company

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 October 21, 2026.

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A-26-000339

State v. Haseeb R.

Misc. Submission - Juvenile Transfer

By order of the Court, matter submitted without oral argument pursuant to Neb. Ct. R. App. P. § 2-111(B)(1).

A-26-000346

State v. Anthony J Taylor

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 October 15, 2026.

A-26-000434

State v. Dylan R Judd

ROD Mot. of Appellee for Summary Affirmance

Appellee's motion for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2). 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-26-000521

State v. Emerson T Briggs

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-26-000525

State v. Shane R Fox

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. Rejai, 320 Neb. 599, 29 N.W.3d 225 (2026) (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-26-000559

State v. David K Aken

Motion of Appellant to Extend Brief Date

Motion sustained. Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to October 26, 2026.

A-26-000614

Malousek v. Blair

Mot Appt Stay Enforcement Pending Appeal

Appellant's emergency motion for stay pending appeal is denied. No appeal in any case shall operate as a supersedeas unless the appellant or appellants within thirty days after the entry of such judgment, decree, or final order execute to the adverse party a bond with one or more sureties, make a deposit of United States Government bonds with

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the clerk, or in lieu thereof make a cash deposit with the clerk for the benefit of the adverse party. See Neb. Rev. Stat. § 25-1916 (Reissue 2016). Appellant asserts he applied for a "stay of execution" pursuant to § 25-1916 and it was denied. He has provided no authority for this Court to issue a stay in contravention of the district court's refusal to set a supersedeas bond. A district court's refusal to set a supersedeas bond is reviewable in a proper appeal. See McCullough v. McCullough, 299 Neb. 719, 910 N.W.2d 515 (2018).

A-26-000648

State v. Jose A Valdez

By order of the Court re BOE Prep Date

By order of the court, Appellant having been granted leave to request a supplemental bill of exceptions and said request now having been filed, bill of exceptions preparation date re-established to be October 2, 2026. Trial court clerk to notify court reporting personnel of new due date.

A-26-000648

State v. Jose A Valdez

Appellant's Brief Date Re-Established

Bill of exceptions preparation date having been re-established to be October 2, 2026, Appellant's brief date re-established to be November 2, 2026.

A-26-000677

Bland v. Department of Insurance

Order Show Cause re Service of Summons

Cause having been shown, case to proceed.

A-26-000733

State v. Hope T Npimnee

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 prior appeal in case No. A-25-685, involving the same issue as in the instant case, was dismissed for failure to file a replacement brief as ordered by this court. The dismissal of a properly perfected appeal from an appellate court without an examination of the case upon its merits operates as an affirmance of the judgment appealed or attempted to be appealed from. See State v. Greer, 309 Neb. 667, 962 N.W.2d 217 (2021); see, also, L. J. Vontz Constr. Co. v. City of Alliance, 243 Neb. 334, 500 N.W.2d 173 (1993); In re Estate of Marsh, 145 Neb. 559, 17 N.W.2d 471 (1945). Claims contained in these types of cases are res judicata and generally may not be relitigated. See id.