

Court of Appeals of Nebraska
Office of the Clerk

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A-25-000596

Haacke v. Haacke

Motion of Appellee for Attorney Fees

Appellee's motion for attorney fees is overruled. See, Neb. Ct. R. App. P. § 2-106(G)(1) (requiring attorney fee motion to cite law or uniform course of practice allowing such fee; failure to do so results in motion being summarily overruled);); § 2-106(B)(2) (any response by a party shall respond to motion of the moving party and not to a response filed by another party; no response by a moving party shall be allowed to a response filed by any other party).

A-26-000256

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

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to November 16, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000256

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

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to November 16, 2026, Appellant's brief date extended to December 16, 2026.

A-26-000346

State v. Anthony J Taylor

Motion of Appellant to Expand Word Count

Motion of Appellant to expand brief word limit sustained. Appellant brief word limit expanded to 18,000 words to include brief in chief and reply brief combined.

A-26-000356

State obo Renli B. v. Devereaux

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellee's brief date extended to October 16, 2026.

A-26-000420

State of Nebraska obo Jasmynn S. v. Merrissa J.

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 November 20, 2026.

A-26-000433

Ag Navigator, LLC v. Top Gun Ag LLC

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 November 30, 2026.

A-26-000445

State v. Michael J Lecher

Motion of Appellant to Extend Brief Date

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Pursuant to Neb. Ct. R. App. P. § 2-106(E)(4), Appellant's brief date extended to November 16, 2026. No further extensions allowed without a showing of exceptional cause.

A-26-000459

State v. Ryan S Greenwood

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to October 16, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000459

State v. Ryan S Greenwood

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to October 16, 2026, Appellant's brief date extended to November 16, 2026.

A-26-000495

King v. Cozad

ROD

APPT Default Notice

By order of the Court, appeal dismissed for failure to file briefs pursuant to Neb. Ct. R. App. P. § 2-110(A); mandate to issue accordingly.

A-26-000502

State v. Jessica M Caulder

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-26-000523

State v. Michel O Mikaya

Ruling Reserved re Motion to Withdraw

Motion to withdraw filed by Appellant's counsel, Mona Burton, taken under further advisement; counsel is provided an additional seven days to supplement the motion as noted in the previous order. Failure to supplement the motion as directed on or before October 28, 2026, will result in denial of motion.

A-26-000532

State v. Joshua C 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 November 20, 2026.

A-26-000537

Walker v. Walker

Mot Appe Extend Brief Date & W/D Johnson

Motion of Karisa D. Johnson to withdraw as counsel for Appellant sustained.

A-26-000559

State v. David K Aken

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Motion Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to November 25, 2026.

A-26-000564

Goodwin v. A&K Nails

Motion of Appellant to Extend Brief Date

Motion of Appellant to extend brief date considered. By order of the Court, Appellant's brief date extended to November 16, 2026. Failure to file brief on or before extended due date will result in dismissal of appeal without further notice from the court due to the brief being in default. Further default notice and additional time to file brief pursuant to Neb. Ct. R. App. P. § 2-110(A) shall not apply.

A-26-000565

Weathers v. Gable

Motion Appt Ext Reply Anticipate S/A Mot

Motion of Appellant overruled as prematurely filed.

A-26-000605

In re Estate of Young

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 November 23, 2026.

A-26-000607

Pittman v. Pittman

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 November 23, 2026.

A-26-000612

State v. Bryon L Jones

Mot Appt Review, Relief, and Referral

Motion denied. Assignments of error in connection with court proceedings can be reviewed on appeal.

A-26-000619

Kosse v. Kosse

Order to Show Cause re Late Req for BOE

Counsel was provided with additional time to respond to the order to show cause issued on October 1, 2026, and no response has been received. The bill of exceptions currently on the trial court record, which contains items listed on the inoperative supplemental request for bill of exceptions filed in the trial court on July 29, 2026, is declined and ordered to be removed.

Court reporting personnel directed to prepare a bill of exceptions solely on the request filed in the trial court on July 24, 2026, within ten days of the issuance of this order. Trial court clerk directed to notify court reporting personnel of this order.

A-26-000630

State v. Christopher C Bevard

Neb. Ct. R. App. P. § 2-105(C)(5) Notice

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Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received the bill of exceptions by the due date, certification of no record by the clerk or court reporting personnel, or a request by court reporting personnel for an extension of time to prepare the bill of exceptions. Bill of exceptions was due October 9, 2026. Trial court clerk to notify court reporting personnel of this notice.

A-26-000637

State v. Richard L Roebuck

Mot Appt Leave to file Sup Request BOE

Motion sustained; Appellant granted leave to file praecipe for supplemental bill of exceptions out of time. Appellant shall file their request within three days of this order.

A-26-000643

State v. Ki D Wah

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellant's brief date extended to November 18, 2026.

A-26-000670

State v. Andrew J Carrera

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-26-000679

Mueller v. Sieh

By Order of the Court re Replacement BOE

Upon review, the bill of exceptions transferred from the trial court does not comply with Neb. Ct. R. App. P. §§ 2-105.01 and 2-105.02. See deficiency listing. Said bill of exceptions filed on October 8, 2026 is ordered removed from record. Court reporting personnel directed to file a replacement bill of exceptions compliant with Nebraska Court Rules of Appellate Practice within ten days of the issuance of this order. Trial court clerk ordered to notify court reporting personnel of this order.

A-26-000691

State v. Frankie D Mason

Neb. Ct. R. App. P. § 2-105(C)(5) Notice

On October 14th, 2026, the Clerk's office notified the trial court that said bill of exceptions was past due. Court reporter then requested extension and bill of exceptions preparation date was extended to October 13, 2026, after a previous § 2-105(C)(5) notice. Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), a third notice is hereby provided that the appellate court has not received any bill of exceptions by the extended date, certification of no record by the clerk or court reporting personnel, or a request by court reporting personnel for an extension of time to prepare the bill of exceptions. Trial court clerk to notify court reporting personnel of this notice.

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A-26-000711

State v. Travis Belina

By Order of the 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 Appellate Practice within ten days of the issuance of this order. Trial court clerk ordered to notify court reporter personnel of this order.

A-26-000716

State v. Michael J McGuire

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to November 5, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000716

State v. Michael J McGuire

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to November 5, 2026, Appellant's brief date extended to December 7, 2026.

A-26-000724

State v. Jabreco K Guyton

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 November 20, 2026.

A-26-000798

State v. Masyn M Anthony

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to October 26, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000798

State v. Masyn M Anthony

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to October 26, 2026, Appellant's brief date extended to November 25, 2026.

A-26-000822

State v. Megan R Canby

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to November 16, 2026; trial court clerk to notify court

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reporting personnel of the extension.

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A-26-000824

State v. Megan R Canby

Request to Extend Bill Exceptions

Request of court reporting personnel for extension to prepare the bill of exceptions granted; time for preparation of bill of exceptions extended to November 16, 2026; trial court clerk to notify court reporting personnel of the extension.

A-26-000822

State v. Megan R Canby

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to November 16, 2026, Appellant's brief date extended to December 16, 2026.

A-26-000824

State v. Megan R Canby

Appellant's Brief Date Extended

Bill of Exception preparation date having been extended to November 16, 2026, Appellant's brief date extended to December 16, 2026.

A-26-000827

State v. Justin E Gardner

Neb. Ct. R. App. P. § 2-105(C)(5) Notice

Pursuant to Neb. Ct. R. App. P. § 2-105(C)(5), notice is hereby provided that the appellate court has not received the bill of exceptions by the due date, certification of no record by the clerk or court reporting personnel, or a request by court reporting personnel for an extension of time to prepare the bill of exceptions. Trial court clerk to notify court reporting personnel of this notice.

A-26-000835

Crow v. Chelli

By order of the Court re MFR Brf Ext

Motion sustained in part; brief required to be filed in connection with motion for rehearing pursuant to Neb. Ct. R. App. P. § 2-113 is extended for 30 days.

A-26-000854

State v. Justin T Tofflemoyer

Motion of Appt for Extension to file BOE

Motion of Appellant for leave to file praecipe for bill of exceptions out-of-time sustained. Appellant shall file their request with the trial court within three days of this order.

A-26-000862

State v. Anthoney E Swartz

Motion to Withdraw - Schlender for Appt

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

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A-26-000868

State v. Jeff A Dolberg

Motion of Appt requesting prepare BOE

Motion to file Bill of Exceptions, which this court reads as a praecipe for Bill of Exceptions in connection with the appeal, is denied for failing to specify the evidence and exhibits offered in the prior proceeding as required by 2-105(B) (2) (b) .

A-26-000871

Gerlach v. Tracy

Motion to Withdraw Hadwiger for Appellee

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

ORDERS TO SHOW CAUSE & AMENDED OPINIONS

A-26-000862

State v. Anthoney E Swartz

Order to Show Cause re Late BOE Request

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S-26-000337

In re Guardianship of Elijah D.

Misc. Submission to Court: Case Movement

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

S-26-000435

State ex rel. Counsel for Discipline v. Long

Confidential Document

See confidential order.

S-26-000515

State ex rel. Counsel for Discipline v. Lake

By order of the Court Ref Appt Malousek

By order of the Court, Mark Malousek is appointed to serve as referee in case S-26-0515, State ex rel. Counsel for Discipline v. W. Gregory Lake.

S-26-000706

State ex rel. Hilgers v. Weber

Motion Petitioner for Attorney Fees

Motion of Relator for attorney fees sustained; costs taxed in the amount of \$9,150. (Two dissenting).

FILED**OCT 21 2026**NEBRASKA SUPREME COURT
COURT APPEALS

IN THE NEBRASKA COURT OF APPEALS

	)	No. A-26-0862
State of Nebraska,	)	
Appellee,	)	
v.	)	
	)	ORDER TO SHOW CAUSE
Anthoney E. Swartz,	)	
Appellant.	)	
	)	
	)	

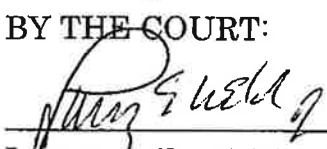
Appellant Anthoney E. Swartz, pro se, has appealed the Hamilton County District Court's September 30, 2026, denial of his verified motion for postconviction relief. Appellant timely filed his notice of appeal and request for a bill of exceptions on October 9. However, on October 19, Appellant filed an untimely praecipe for a supplemental bill of exceptions.

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 a late request for a supplemental bill of exceptions and has not alleged good cause for the failure to timely request preparation of the supplemental bill of exceptions.

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 10 days of this order, why the appeal should not proceed as if no request for a supplemental bill of exceptions was filed.

Dated this 21st day of October, 2026.

BY THE COURT:



Lawrence E. Welch, Jr.

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