A-26-000014
In re Interest of Josiah E.
Case Review re Rule 2-111 Submission
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 November Review Docket of the Nebraska Court of Appeals.

A-26-000070
State v. Nathaniel J Cullum
ROD Motion for Summary Dismissal/Affirmance
Appellee's motion for summary dismissal is granted; appeal dismissed for lack of jurisdiction. Appellant's motion to vacate judgment pursuant to Neb. Rev. Stat. § 25-2001 (Reissue 2016) is not available under Nebraska criminal procedure and is therefore a procedural and legal nullity. As such, the district court lacked subject matter jurisdiction to consider the motion as does this court. See State v. Boone, 314 Neb. 622, 992 N.W.2d 451 (2023) (when unauthorized motion is filed in criminal case, court lacks subject matter jurisdiction to adjudicate it; these rules apply with particular force in motions filed after sentencing); State v. Melton, 308 Neb. 159, 953 N.W.2d 246 (2021) (when criminal defendant files motion not authorized under Nebraska criminal procedure, motion is procedural and legal nullity, and any court order adjudicating such motion presents nothing for appellate review). Although appellant argues this court should consider his motion as one filed under our postconviction statutes, that argument also fails because of the lack of proper verification. A motion for postconviction relief "undisputedly" requires verification. See State v. Burries, 310 Neb. 688, 693, 969 N.W.2d 96, 99 (2022); Neb. Rev. Stat. § 29-3001 (Reissue 2016).

A-26-000378
State v. Trey L Norton
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-26-000449
State v. Clintus J Alford
ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance is granted. Appellant's motion to vacate is barred by the doctrines of claim and issue preclusion. See State v Marrs, 295 Neb. 399, 888 N.W.2d 721 (2016). Appellant unsuccessfully litigated the same issue in case No. A-17-1270. See State v. Caddy, 262 Neb. 38, 628 N.W.2d 251 (2001) (authorizing appellate court to take judicial notice of its records of interwoven cases). See also State v. Sands, 33 Neb. App. 554, 20 N.W.3d 923 (2025) (recognizing State's ability to raise issue on appeal where no ability to do so in trial court was provided).

A-26-000517
State v. Robert L Castellon Jr.
ROD Mot. of Appellee for Summary Affirmance
Appellee's motion for summary affirmance granted. 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-26-000543
State v. Jonathan M Nauden
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 28, 2026.

A-26-000546
State v. Jonathan M Nauden
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 28, 2026.

A-26-000566
Robinson v. Kelly
Appellant's Replacement Brief Due
Pursuant to Neb. Ct. R. App. P. § 2-109(F), original brief of Appellant filed on October 16, 2026, is stricken. Replacement brief ordered and limited to correction of the following deficiencies: Neb. Ct. R. App. P. §§ 2-109(D)(1)(b) regarding table of contents with page references, and an alphabetically arranged table of cases, statutes, and other authorities cited, with references to the pages of the brief where cited; 2-109(D)(1)(c) regarding the jurisdictional statement; 2-109(D)(1)(f) through 2-109(D)(2)(d) regarding propositions of law and order of contents; 2-109(D)(1)(g) regarding annotation to the record for each and every statement of fact; 2-109(D)(1)(h) regarding the summary of argument. The diagram appearing in brief as an exhibit shall not be included in the replacement brief. Replacement brief of Appellant is due on or before November 5, 2026. Failure to file a timely replacement brief in compliance with this order may subject the case to dismissal. See Neb. Ct. R. App. P. § 2-110(A).

A-26-000571
State v. Kristopher C Snyder
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-26-000617
Elhabbal v. Elhabbal
Mot Appt Correct Transcript & Req Leave
Appellant's motion for leave to correct and refile the transcript is granted in part. Appellant's notice of appeal indicated an intention to appeal a July 17, 2026, order. That order addressed five separate motions; hence, pursuant to Neb. Ct. R. App. P. § 2-104(A)(2), certain mandatory documents were to be included despite not having been requested by appellant. However, the following documents do not fall within the requirements of the rule and shall be stricken from the transcript: June 24, 2026 motion to show cause; June 25, 2026 order to show cause; July 10, 2026 motion to dismiss for lack of evidence and

for failure to state a claim, and for fraud upon the court; and July 17, 2026 supplemental motion to dismiss motion and order to show cause.
Appellant's request for leave file a request for supplemental transcript denied. Neb. Ct. R. App. P. § 2-104(C) does not require leave to do so.

A-26-000617
Elhabbal v. Elhabbal
Motion of Appt to Expedite Consideration
Motion considered. Ruling made. See separate orders.

A-26-000617
Elhabbal v. Elhabbal
Certification of Court Reporter
With regard to the certification of court reporting personnel received, as no bill of exceptions has been filed in any of the appeals derived from the underlying action, the court reporter is directed to relabel the two volumes of the bill of exceptions prepared for case No. A-26-617 as volumes 1 and 2 for filing in the Court Document Transfer portal and subsequent placement on the JUSTICE Register of Action. Upon the filing of volumes 1 and 2, the clerk of the Douglas County District Court shall transmit them to the appellate court for filing in case No. A 26-617. The subsequent bill of exceptions volumes shall be numbered consecutively thereto. Court clerk to notify court reporter of appellate court ruling.

A-26-000647
State v. Jonathon T Scheerer-Hamm
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-26-000725
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-26-000854
State v. Justin T Tofflemoyer
By order of the Court re BOE Prep Date
Motion for leave to file request for bill of exceptions sustained and request for bill of exceptions now having been filed, record preparation date re-established to November 24, 2026.

A-26-000854
State v. Justin T Tofflemoyer
Appellant Brief Date Re-Established
Record preparation date having been re-established to November 24, 2026. Appellant's brief date re-established to December 24, 2026.

S-25-000118
State v. Kidonnie R Smith
By order of the Court re: Oral Argument
By order of the Court, oral argument in this matter, previously scheduled for November 3, 2026, is rescheduled for 10:00 A.M. on Wednesday November 4, 2026, at Blair High School, 440 N 10th St, Blair, Nebraska. Parties must sign in no later than 9:30 A.M.

S-26-000089
State v. Kolton J Barnes
By order of the Court re; Oral Argument
By order of the Court, oral argument in this matter, previously scheduled for Wednesday, November 4, 2026, is rescheduled for Tuesday, November 3, 2026, at 9:00 A.M. in the Supreme Court Courtroom.

S-26-000089
State v. Kolton J Barnes
By order of the Court Appoint J. Benson
By order of the Court, the Honorable Katie Benson, District Court Judge for the 4th Judicial District, is appointed to serve as a Nebraska Supreme Court Justice for the case of State v. Barnes, Case No. S-26-0089, currently scheduled for oral argument on the November 2026 Supreme Court Call. See order.

S-26-000247
State ex rel. Counsel for Discipline v. Lake
Motion to Withdraw Dempsey for Resp
Substitution of counsel having been filed, motion of respondent counsel Sarah M. Dempsey to withdraw sustained.

S-26-000515
State ex rel. Counsel for Discipline v. Lake
Motion to Withdraw Dempsey for Resp
Substitution of counsel having been filed, motion of respondent counsel Sarah M. Dempsey to withdraw sustained.