

Court of Appeals of Nebraska
Office of the Clerk

Minutes: November 5, 2025

Page:

1

A-24-000265

Magett v. CHI Health Immanuel Medical Center
Motion of Appellant for Rehearing
Motion of Appellant for rehearing overruled.

A-24-000268

State v. Steven D Lambert
ROD Petition of Appellant for Further Review
Petition of Appellant for further review denied.

A-24-000985

Naked Maiden's Falls v Simmons
By order of Court placed on Dec. Call
By order of the Court, matter removed from the November Review Docket
of the Nebraska Court of Appeals and placed on the December Proposed
Call, to occur December 9 and 10, 2025.

A-25-000069

Ramos v. Aqua Palace, L.L.C.
By order of Court placed on Dec. Call
By order of the Court, matter removed from the November Review Docket
of the Nebraska Court of Appeals and placed on the December Proposed
Call to occur December 9 and 10, 2025.

A-25-000077

State v. Thomas M Hartman
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-25-000239

State v. Arkangelo A Kuol
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-25-000294

In re Interest of Amaya S.
Motion Appellant Continue Oral Argument
Motion of Appellant to continue oral argument overruled as moot.

A-25-000294

In re Interest of Amaya S.
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 December Proposed Call of the Nebraska Court of Appeals.

A-25-000366

Tago v Elam-Wauqua
Case Review re Rule 2-111 Submission

Court of Appeals of Nebraska
Office of the Clerk

Minutes: November 5, 2025

Page: 2

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 December Proposed Call of the Nebraska Court of Appeals.

A-25-000400

State v. Mario Blanco

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 December Proposed Call of the Nebraska Court of Appeals.

A-25-000499

State v. Lamont R Reed

Motion of Appellant for Rehearing

Motion of Appellant for rehearing overruled.

A-25-000535

State v. Kelly R Kvamme

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to December 5, 2025.

A-25-000605

Livnow Homes, LLC v. Yah

ROD

Misc. Submission to Court: Jurisdiction

Appeal in case No. A-25-605 dismissed for lack of jurisdiction under Neb. Ct. R. App. P. § 2-107(A)(1). A denial of a motion to recuse is not appealable. See State of Florida v. Countrywide Truck Ins. Agency, 270 Neb. 454, 703 N.W.2d 905 (2005). In addition, appellant's move to vacate prior orders of the district court did not operate to extend the appeal time from the February 2025 order denying his motion to reinstate his appeal. See Bryson L. v. David B., 302 Neb. 145, 921 N.W.2d 829 (2019).

A-25-000618

State v. Marcus D Winston

Motion of Appellee to Extend Brief Date

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

A-25-000632

State v. Arrlon J Walker

Motion of Appellee to Extend Brief Date

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

A-25-000635

State v. Marquez A Tolan

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 8, 2025.

A-25-000643

Livnow Homes LLC v. Ma Yah II

Court of Appeals of Nebraska
Office of the Clerk

Minutes: November 5, 2025

Page: 3

ROD Misc. Submission to Court: Jurisdiction
Considering the dismissal of the appeal in case No. A-25-605, the related appeal in case No. A-25-643, from the denial of in forma pauperis status, is also dismissed.

A-25-000647

Livnow Homes LLC v. Ma Yah II

ROD Misc. Submission to Court: Jurisdiction
Appeal in case No. A-25-647 dismissed for lack of jurisdiction under Neb. Ct. R. App. P. § 2-107(A)(1). Issues related to restitution of premises are now moot. The record before this court indicates that appellant's lease has expired, and he is no longer in possession of the premises. See Johnson v. Vosberg, 316 Neb. 658, 6 N.W.3d 216 (2024) (citing NP Dodge Mgmt. Co. v. Holcomb, 314 Neb. 748, 993 N.W.2d 105 (2023)).

A-25-000647

Livnow Homes LLC v. Ma Yah II

Mot Appt Leave to Req BOE Out-Of-Time

Appellant's motion for leave to file bill of exceptions out of time is overruled as moot.

A-25-000665

Paxton v. Paxton

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 31, 2025.

A-25-000666

Paxton v. Paxton

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 31, 2025.

A-25-000667

Paxton v. Paxton

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to December 31, 2025.

A-25-000686

Box Butte County Board of Equalization v Tax Equalization & Review Com

ROD Motion Respondent TERC for Summary Dism
Respondents' motion for summary dismissal is granted. See Neb. Rev. Stat. § 77-5019(2)(b) (Reissue 2018) (party seeking judicial review of final decision of TERC must serve summons "within thirty days after the filing of the petition in the manner provided for service of a summons in a civil action"); service of summons within 30 days of the filing of the petition for review of TERC's decision is necessary to confer subject matter jurisdiction upon appellate courts. See Perkins Cnty. Bd. of Equal. v. Mid America Agri Prods./Wheatland Indus., LLC, 317 Neb. 1, 8 N.W.3d 716 (2024). The Board filed its petition for review on September 6, 2025. Thirty days after September 6-the deadline to serve summons-was October 6. The summons was not served

Court of Appeals of Nebraska
Office of the Clerk

Minutes: November 5, 2025
until October 7-one day late.

Page:

4

Supreme Court of Nebraska
Office of the Clerk

Minutes: November 5, 2025

Page:

1

S-24-000018

Jones v. Colgrove

Motion of Appellant for Rehearing

Motion of Appellant for rehearing overruled.

S-25-000628

State ex rel. Counsel for Discipline v. Wintroub

Motion Relator Judgment on Pleadings

Withdrawal of Motion for Judgment on the Pleadings sustained.