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A-24-000269

In re Estate of Foged

Motion of Appellant for Attorney Fees

Appellant Stephanie Knapp's motion for attorney fees incurred in defending Appellee's petition for further review is overruled. See Neb. Ct. R. App. P. § 2-106(G)(1) (rev. 2024) (motion for attorney fees that fails to cite law or uniform course of practice will be summarily overruled). Appellant's citation to *Oswald v. Oswald*, 28 Neb. App. 1, 939 N.W.2d 490 (2020), supports the timing of a request for attorney fees following the Nebraska Supreme Court's order disposing of a petition for further review. However, see, § 2-106(G)(1) (motion for allowance of attorney fee must cite to law or uniform course of practice for allowance of such fee); citation to a statute or uniform course of practice authorizing attorney fees in the underlying probate/trust matter was required.

A-25-000254

State v. Austin L Mathiasen

ROD

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance pursuant to Neb. Ct. R. App. P. § 2-107(B)(2) is sustained; the district court's March 24, 2025, order is affirmed. Appellant's successive motion for postconviction relief does not affirmatively show on its face that the bases relied upon for relief were not available at the time of filing the prior motion for postconviction relief. See, *State v. Lotter*, 311 Neb. 878, 976 N.W.2d 721 (2022) (all available grounds for postconviction relief must be stated in initial postconviction motion and, once that motion has been judicially determined, any subsequent postconviction motion regarding same conviction and sentence may be dismissed by district court unless motion affirmatively shows on its face that basis relied upon for relief was not available at time of filing prior motion); *State v. Amaya*, 298 Neb. 70, 902 N.W.2d 675 (2017) (defendant is entitled to bring second proceeding for postconviction relief only if grounds relied upon did not exist at time first motion was filed).

A-25-000314

State v. Zacchaeus A Jackson

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance is overruled. Appeal to proceed. See *State v. Nelson*, 318 Neb. 484, 16 N.W.3d 883 (2025) (when court imposes multiple sentences contemporaneously, whether such sentences are ordered to be served consecutively or concurrently, all available credit for time served under § 83-1,106(1) is applied just once, to aggregate of all terms imposed).

A-25-000315

State v. Zacchaeus A Jackson

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance is overruled. Appeal to proceed. See *State v. Nelson*, 318 Neb. 484, 16 N.W.3d 883 (2025) (when court imposes multiple sentences contemporaneously, whether such sentences are ordered to be served consecutively or concurrently, all available credit for time served under § 83-1,106(1) is applied just

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once, to aggregate of all terms imposed).

A-25-000316

State v. Zacchaeus A Jackson

Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance is overruled. Appeal to proceed. See State v. Nelson, 318 Neb. 484, 16 N.W.3d 883 (2025) (when court imposes multiple sentences contemporaneously, whether such sentences are ordered to be served consecutively or concurrently, all available credit for time served under § 83-1,106(1) is applied just once, to aggregate of all terms imposed).

A-25-000389

State v. Brent L Ghost

ROD Mot. of Appellee for Summary Affirmance

Motion of Appellee for summary affirmance sustained. See Neb. Ct. R. App. P. § 2-107(B)(2); State v. Geller, 318 Neb. 441, 16 N.W.2d 365 (2025) (sentence imposed within statutory limits will not be disturbed on appeal absent abuse of discretion by trial court).

A-25-000464

State v. Mark Carlson

Motion of Appellant to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellant's brief date extended to October 29, 2025.

A-25-000653

State v. Jason Vorse

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant did not assert a proper plea in bar that could be the subject of a final, appealable order. See e.g. State v. Rubio, 261 Neb. 475, 623 N.W.2d 659 (2001). In addition, a judgment entered during the pendency of a criminal cause is final when no further action is required to completely dispose of the cause pending. An order overruling a motion to dismiss is not a final order because it does not completely dispose of the case. State v. Combs, 297 Neb. 422, 900 N.W.2d 473 (2017).

A-25-000654

State v. Jason G Vorse

ROD Misc Submission to Court re Jurisdiction

Appeal dismissed for lack of jurisdiction. See Neb. Ct. R. App. P. § 2-107(A)(1). Appellant did not assert a proper plea in bar that could be the subject of a final, appealable order. See e.g. State v. Rubio, 261 Neb. 475, 623 N.W.2d 659 (2001). In addition, a judgment entered during the pendency of a criminal cause is final when no further action is required to completely dispose of the cause pending. An order overruling a motion to dismiss is not a final order because it does not completely dispose of the case. State v. Combs, 297 Neb. 422, 900 N.W.2d 473 (2017).

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S-23-001026

Beatty v. Poitier

Mot Appt Reconsideration of MFR Ruling

Motion of Appellant for reconsideration overruled.

S-24-000481

State v. Maylesha S Lewis

ROD Submission to Court

Affirmed. Papik, Justice.

S-24-000512

Scott v. Scott

ROD Submission to Court

Affirmed. Funke, Chief Justice.

S-24-000722

State v. Quan A White

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(3), Appellee's brief date extended to October 10, 2025.

S-25-000504

State v. Matthew D Pavey

Motion of Appellee to Extend Brief Date

Pursuant to Neb. Ct. R. App. P. § 2-106(E)(2), Appellee's brief date extended to October 14, 2025.

S-25-000553

State v. Latrail Washington, Jr.

Request to Extend Bill Exceptions

Request for extension granted; time for preparation of bill of exceptions extended to October 27, 2025.

S-25-000553

State v. Latrail Washington, Jr.

Appellant's Brief Date Re-Established

Record preparation date having been re-established to October 27, 2025, Appellant's brief date extended to November 26, 2025.