

**IN THE DISTRICT COURT OF CHERRY COUNTY, NEBRASKA**

**CARRIE KAY FERNAU,**  
Petitioner,

Case No. CI99-110

vs.

**ORDER OF DISMISSAL**

**SHAWN STEVEN FERNAU,**  
Respondent.

**DATE OF HEARING:** No hearing held.

**APPEARANCES:** None.

**SUBJECT OF HEARING:** Purported amended petition for dissolution of marriage filed December 12, 2000.

**ORDER:** IT IS ORDERED that:

1. The petitioner originally commenced this action for dissolution of marriage. Thereafter, the petitioner filed an amended petition for legal separation. Following trial, a decree of legal separation was entered on August 25, 2000. That ended the case, and extinguished the petitioner’s ability to amend her petition *in this case* for dissolution pursuant to NEB. REV. STAT. § 42-350. Indeed, the petitioner apparently recognized this problem, as a petition for dissolution of marriage was filed in a new case, Case No. CR00-112.

2. On the court’s own motion, the amended petition is stricken and the attempted post-judgment proceeding is dismissed without prejudice to further proceedings in Case No. CR00-112 or any other case. This order does not affect the decree of legal separation previously entered in this case, which remains fully effective.

Signed in chambers at Valentine, Nebraska, on January 24, 2001.  
DEEMED ENTERED upon the date of filing by the court clerk.

If checked, the Court Clerk shall:

- : Mail a copy of this order to all counsel of record and to any pro se parties.  
Done on \_\_\_\_\_, 20\_\_ by \_\_\_\_.
- : Note the decision on the trial docket as: [date of filing] Signed “Order of Dismissal” entered.  
Done on \_\_\_\_\_, 20\_\_ by \_\_\_\_.

Mailed to:

**BY THE COURT:**

\_\_\_\_\_  
William B. Cassel  
District Judge