Nebraska Supreme Court Online Library
www.nebraska.gov/apps-courts-epub/
11/22/2026 06:36 AM CST

In re Interest of Manuel C. and Mateo S., children under 18 years of age. State of Nebraska, appellee and cross-appellee, v. Amber S., appellant, and Red Lake Band of Chippewa Indians, appellee and cross-appellant.

___ N.W.2d ___

Filed June 23, 2023. No. S-22-653.

SUPPLEMENTAL OPINION

Appeal from the Separate Juvenile Court of Lancaster County: Shellie D. Sabata, Judge. Former opinion modified. Motion for rehearing overruled.

Jacinta Dai-Klabunde, of Legal Aid of Nebraska, for appellant.

Patrick F. Condon, Lancaster County Attorney, and Maureen E. Lamski for appellee State of Nebraska.

Joseph Plumer for appellee Red Lake Band of Chippewa Indians.

Allison Derr, Robert McEwen, and Sarah Helvey for amicus curiae Nebraska Appleseed Center for Law in the Public Interest.

Heavican, C.J., Miller-Lerman, Cassel, Stacy, Funke, Papik, and Freudenberg, JJ.

Per Curiam.

This case is before us on a motion for rehearing filed by the appellant, Amber S., concerning our opinion in *In re Interest of Manuel C. & Mateo S., ante* p. 91, 988 N.W.2d 520 (2023).

We find no substantive merit to Amber's motion and overrule it, but modify the opinion as follows:

In the analysis section, under the subheading "*Applicability of ICWA*," at the end of the fourth paragraph, we add the following:

> However, we are aware that subsequent to this holding, the Indian Child Welfare Act Proceedings, 81 Fed. Reg. 38,778 (June 14, 2016) (codified at 25 C.F.R. § 23 et seq. (2022)) were adopted. Upon our de novo review, we believe that the juvenile court process and proceedings followed these regulations and that upon appeal, our analysis recognizes and adheres to the provisions of the regulations.

In the analysis section, under the subheading "*Applicability of ICWA*," we delete the second sentence of the ninth paragraph and substitute the following: "Rather, this court reviews the decision of the juvenile court de novo.[24]"

The remainder of the opinion shall remain unmodified.

Former opinion modified.
Motion for rehearing overruled.