# 3 COURT PACKET 3: TONEY ASKS FOR MORE TIME

Toney is here. He asks the judge for **another day**.

| | |
|---|---|
| **Case** | Rasha Jaafar & Nedhal Thwaini v. Antonio Spencer<br>**Case number: CI 26-13193** |
| **Day and time** | **Wednesday, November 18, 2026, 8:30 AM** · Arrive by **8:00 AM** |
| **Place** | Lancaster County Court, 575 S 10th St · **2nd floor, Courtroom 21** |

**Our goal: a FIRM new date. No more than 7 days.**

## Find your page


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# 1 READ THIS FIRST

He may want a lawyer, more proof, or say he did not know



## 3 rules

**1. Stay calm. This is common. The judge decides.**

**2. Do not argue. Talk to the judge. 2 or 3 sentences.**

**3. Always ask: date and time? Write it below.**

## Switch packets if:

| IF THIS HAPPENS | DO THIS |
|---|---|
| Judge says **no**. The hearing starts. | Use **Packet 2** (Toney comes and fights). |
| Toney wants a **deal** | Use **Packet 4**. **Take no money** in the hallway. |
| Judge says **yes**. New day. | Go to **Sections 6 and 7** of this packet. |

**WRITE IT HERE** New date: _____ Time: _____
Courtroom: _____

# 2 WHAT "MORE TIME" MEANS

Court word: "continuance" = the hearing moves to a later day



| How long | What Nebraska law says |
|---|---|
| **Up to 7 days** | **Easy.** No special reason needed. |
| **More than 7 days** | He needs a **very serious reason** ("extraordinary causes"). He must prove it. |
| **More than 7 days** | He must also give a **bond**. Bond = money promised by someone else. It pays rent and damages if he loses. |
| **No end date** | **Not allowed.** Nebraska Supreme Court says no for eviction cases. |

## What this means for us

1. Up to **7 days** is easy for Toney to get.
2. **More than 7 days** should be hard for him.
3. The house is empty. A short delay costs us little. **Do not fight 1 week.**
4. A **firm date** matters more.

# 3 WHAT RASHA SAYS

Wait for the judge to ask you. Find the card. Read only that card.



**TONEY ASKS FOR:** About 1 week

**YOU SAY:** **"Your Honor, we are ready today. If there is a delay, please: no more than 7 days. Set the date today. Keep our rent claims on the same date."**

**TONEY ASKS FOR:** More than 1 week

**YOU SAY:** **"Your Honor, the law says 7 days. More needs a very serious reason and a bond. Please keep to 7 days."**

**TONEY ASKS FOR:** Time to get a lawyer

**YOU SAY:** **"Mr. Spencer got the papers on _____. He had time. Please give a firm date."**

**SHOW:** The date comes from the clerk's window (return of service)

**TONEY ASKS FOR:** Time to get his proof

**YOU SAY:** **"We are ready. If he gets time, he brings his proof on the new date. Please do not move it again."**

**TONEY ASKS FOR:** Work, sickness, or a family emergency

**YOU SAY:** **"A short delay is OK. Please give a firm date and time."**

**IF THE JUDGE ASKS WHAT YOU WANT** "A firm date and time, Your Honor. We will be here."

# 4 DO NOT SAY

These can hurt you

1. Do not say he is **stalling**. Let the judge decide.
2. Do not say **"We are in a hurry."** The house is empty. It is not true.
3. Do not talk about **money or appliances**. Only if the judge asks.



## Why Toney may ask, and what it means

| TONEY SAYS | WHAT IT MEANS |
|---|---|
| "I need a lawyer." | Common. A short delay is possible. |
| "I did not know about the hearing." | Ask the clerk before 8:30: is the **return of service** on file? (proof he got the papers) |
| "I have papers at home." | The judge may let him bring them in 1 week. |
| "I was sick" or "I had an emergency." | A short delay is possible. |

**EVERY TIME** Ask for a **firm date**. Max 7 days. Nothing else.

# 5 QUESTIONS THE JUDGE MAY ASK YOU

Short, honest answers

**JUDGE ASKS:** Do you object to a delay?
**YOU SAY:** "We are ready today. If there is a delay: 7 days max, firm date."

**JUDGE ASKS:** Are you ready to go forward today?
**YOU SAY:** "Yes, Your Honor. We have our papers here." (Only if true.)

**JUDGE ASKS:** Would a delay hurt you?
**YOU SAY:** "Unpaid rent keeps growing. We want to move on."

**JUDGE ASKS:** Can you come back on [date]?
**YOU SAY:** Check your calendar. Cannot come? Say so. Offer the closest day.
Rasha can come: _____ Nedhal can come: _____

**JUDGE ASKS:** Do you need an interpreter on the new date?
**YOU SAY:** "Yes, please arrange it." (Only if someone needs one.)

**JUDGE ASKS:** Has Mr. Spencer paid anything since the case started?
**YOU SAY:** The honest answer. (Taking rent can hurt the case.)

**JUDGE ASKS:** When did he get the court papers?
**YOU SAY:** The date from the clerk's window: _____

# 6 IF THE JUDGE SAYS YES

Ask these before you leave the courtroom. Check each box.

- ☐ "What is the new **date, time and courtroom**?"
  Write it: _____
- ☐ "Is the delay for **the house only**, or for the **rent** too?"
- ☐ "If it is longer than 7 days, does Mr. Spencer have to post a **bond**?"
- ☐ "Can you arrange an **interpreter** again for that day?" (only if needed)
- ☐ "May the order say this is the **last delay**?"
- ☐ "Will you send the new date **in writing**? May we have today's **journal entry** (the judge's signed paper)?"
- ☐ "We want to **add charges**. Do we file before the new date? Must he get the papers again?"

**BEFORE YOU LEAVE** Go to the clerk's window. Get the **new date on paper**.

# 7 USING THE EXTRA TIME

If the judge gives about a week. Do these in order.

- ☐ **Write down** what Toney and the judge said. Do it the same day (Hajer, 15 min, same day)
- ☐ Get the **written order** or new date from the clerk's window (Hajer, 10 min, same day)
- ☐ Call the **gas company** for the move-out date in writing, if not done (Rasha, 15 min)
- ☐ Decide: **add** junk removal, windows, appliances? One free change within 30 days of service. Toney must get the papers again (about $30) (Rasha and Nedhal, 30 min)
- ☐ Mail the **deposit deduction list** by certified mail. Keep the receipt (Rasha, 15 min)
- ☐ Call **Legal Aid**, 877-250-2016, about going into the house and his belongings (Rasha, 15 min)
- ☐ Fill in **any blanks** left in Packets 1 and 2 (Rasha, 30 min)
- ☐ **Reprint** any exhibit that changed, and add new ones (Hajer, 20 min)
- ☐ Ask the clerk to arrange an **interpreter** again, if needed (Hajer, by email, 5 min)

# 8 IF SOMETHING GOES WRONG

Find the problem. Do what it says.

| IF THIS HAPPENS | DO OR SAY THIS |
|---|---|
| **The judge gives more than 7 days** | Ask: "Is a **bond** needed for more than 7 days?" Do not argue. Write the answer. |
| **The delay is for the house only** | Ask when the rent will be decided. Write it down. |
| **Toney says he never got the papers** | Ask the judge to look at the return of service. Do not say he is lying. |
| **Toney asks you for time or money outside** | "We will let the judge decide." Take no money. |
| **The judge says no and starts the hearing** | Use **Packet 2**. Take your time to find the paper. |
| **The judge asks if you will make a deal** | "We will listen." **Take no money.** Get it in writing first. |
| **No interpreter** (if needed) | Tell the judge when the case is called. The court has a phone interpreter service. |
| **You do not understand** | "Could you repeat that, please, Your Honor?" |

# NOTE NOTES FOR HAJER (NOT FOR COURT)

Do not read these laws to the judge unless asked

## Not checked yet (ask Legal Aid: 877-250-2016)

1. How the 7-day limit works when the owners already have the house back, and for the money claims.
2. How often Lancaster judges give a first delay, and for what reasons. "Possible" in this packet is general, not a rule.
3. Whether a bond is practical or required when the house is empty.
4. Whether a delay changes the deadline to add charges.

## Laws behind this packet

| | |
|---|---|
| **25-21,225** | Delays in eviction cases: up to 7 days; longer needs extraordinary causes plus a bond. |
| **Fed. Nat'l Mortgage Assn. v. Marcuzzo (Neb. 2014)** | Courts should not give an open-ended delay in these cases. |
| **25-21,223** | Service and trial timing in eviction cases. |
| **Rule 6-1115** | One free change (amendment) to the complaint within 30 days (secondary site). |
| **76-1433** | Accepting rent can waive the right to end the lease. |

This packet helps you prepare. It is not legal advice. Nobody who made it is a lawyer.