

39.2 Briefs.

- (a) **Trial Briefs.** Unless ordered otherwise, each party must file a trial brief at least 7 days before the trial begins.
- (b) **Motion Briefs.** Motion briefs must be prepared according to Nebraska Civil Rule 7.1.
- (c) **Abandonment of Issues.** Except as stated in Nebraska Civil Rule 7.1(b)(1)(C), when by local rule or separate order a time has been set for filing a brief, a judge may treat a party's failure to file a brief or discuss an issue in a brief as an abandonment of that party's position on any issue not briefed or discussed.
- (d) **Habeas Corpus and Post-Conviction Relief.** In matters brought under 28 U.S.C. §§ 2241 and 2254, counsel must file the briefs submitted by the petitioner on direct appeal. In cases brought under §§ 2241, 2254, and 2255, direct appeal briefs may be considered as part of the record of the habeas case. They must not, however, be incorporated by reference in, or considered to be, the petitioner's brief. Pro se parties are not required to electronically file briefs or other documents.