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the dispute, inasmuch as a state "'generally has a "manifest interest" in providing its residents with a convenient forum for redressing injuries inflicted by out-of-state actors.'"[38] Although Michigan may also have an interest in a fair and efficient resolution of this controversy, its interest does not outweigh that of Nebraska.

Considering all relevant factors, we conclude that Nebraska's exercise of specific personal jurisdiction over Planet Bingo in this action would not offend notions of fair play and substantial justice.

CONCLUSION

Based upon our independent review of the complaint and affidavits, viewed in a light most favorable to Video King, we conclude that the district court for Douglas County has specific personal jurisdiction over Planet Bingo and that it erred in granting Planet Bingo's motion to dismiss. Further, we find that Nebraska's exercise of specific personal jurisdiction over Planet Bingo in this action would not offend notions of fair play and substantial justice. Accordingly, we reverse, and remand for further proceedings.

REVERSED AND REMANDED FOR FURTHER PROCEEDINGS.

MILLER-LERMAN, J., participating on briefs.

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[38] *Id.* at 659, 742 N.W.2d at 745.

STATE OF NEBRASKA, APPELLEE, V.
JOE J. POLICKY, APPELLANT.
828 N.W.2d 163

Filed March 29, 2013. No. S-12-533.

1. **Judgments: Appeal and Error.** On questions of law, an appellate court has an obligation to reach independent conclusions irrespective of the decision made by the court below.
2. **Sentences: Appeal and Error.** An appellate court will not disturb a sentence imposed within the statutory limits absent an abuse of discretion by the trial court.

3. **Motor Vehicles: Licenses and Permits: Revocation: Sentences.** A sentence to a 15-year period of license revocation is mandatory for all persons who commit the offense of driving while their licenses are revoked.
4. **Sentences.** Generally, it is within a trial court's discretion to direct that sentences imposed for separate crimes be served either concurrently or consecutively.
5. **Prior Convictions: Motor Vehicles: Sentences.** Motorists committing multiple violations should not expect a sanction equivalent to that imposed on a motorist committing a unitary violation.
6. **Statutes: Judicial Construction: Legislature: Presumptions: Intent.** When judicial interpretation of a statute has not evoked a legislative amendment, it is presumed that the Legislature has acquiesced in the court's interpretation.

Appeal from the District Court for Lancaster County: STEPHANIE F. STACY, Judge. Affirmed.

Dennis R. Keefe, Lancaster County Public Defender, and Shawn Elliott for appellant.

Jon Bruning, Attorney General, and George R. Love for appellee.

HEAVICAN, C.J., WRIGHT, CONNOLLY, STEPHAN, MCCORMACK, MILLER-LERMAN, and CASSEL, JJ.

MCCORMACK, J.

NATURE OF CASE

Neb. Rev. Stat. § 60-6,197.06 (Reissue 2010) states that when a defendant has been found guilty of operating a motor vehicle while his or her operator's license has been revoked, the court shall, as part of the judgment of conviction, revoke the operator's license "for a period of fifteen years from the date ordered by the court." Section 60-6,197.06 provides further that "[s]uch revocation and order shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked." The defendant asserts that under the plain language of § 60-6,197.06, the court cannot order commencement of the 15-year revocation for any date other than the date of sentencing, the date of final judgment upon appeal or review, or the date any probation is revoked. According to the defendant, a court cannot order a 15-year license revocation to be consecutive to the unexpired period of revocation under which the defendant

committed the offense of driving with a revoked license. We disagree.

BACKGROUND

In 2003, Joe J. Policky was convicted of driving under the influence, third offense. He was sentenced to a 15-year license revocation, which began on August 29, 2003, and is to continue until August 29, 2018. On August 25, 2011, Policky was found operating a motor vehicle. This led to the current charge and conviction of driving during revocation, first offense. Policky pleaded no contest, and pursuant to § 60-6,197.06, the court ordered that Policky's license be revoked for 15 years consecutive to the revocation that is due to come to an end in August 2018. Policky appeals the sentence.

ASSIGNMENT OF ERROR

Policky assigns that the trial court erred in ordering that the 15-year license revocation sentence be consecutive to the 15-year license revocation previously imposed against him.

STANDARD OF REVIEW

[1] The issue raised by Policky's assignment of error presents a question of law, in connection with which an appellate court has an obligation to reach independent conclusions irrespective of the decision made by the court below.[1]

[2] An appellate court will not disturb a sentence imposed within the statutory limits absent an abuse of discretion by the trial court.[2]

ANALYSIS

[3,4] A sentence to a 15-year period of license revocation is mandatory for all persons who commit the offense of driving while their licenses are revoked.[3] And, generally, it is within a trial court's discretion to direct that sentences imposed for separate crimes be served either concurrently

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[1] See *State v. McBride*, 252 Neb. 866, 567 N.W.2d 136 (1997).

[2] *State v. Castillas, ante* p. 174, 826 N.W.2d 255 (2013).

[3] *State v. Hense*, 276 Neb. 313, 753 N.W.2d 832 (2008).

or consecutively.[4] Policky argues that the plain language of § 60-6,197.06, however, serves to limit the trial court's discretion. He asserts that the trial court erred as a matter of law in ordering his mandatory 15-year license revocation to be consecutive to the 15-year license revocation imposed for a prior offense. We affirm the sentence.

Section 60-6,197.06 states in relevant part:

> [T]he court shall, as part of the judgment of conviction, revoke the operator's license of such person for a period of fifteen years from the date ordered by the court and shall issue an order pursuant to section 60-6,197.01. Such revocation and order shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked.

Policky focuses both on the phrase "from the date ordered by the court" and on the last sentence stating that the revocation "shall be administered upon sentencing." According to Policky, this last sentence limits "the date ordered by the court" to either the date of the sentencing order, the date of the final judgment after appeal of that order, or the date that any probation is revoked.

This court and the Nebraska Court of Appeals have several times addressed the phrase "from the date ordered by the court" and concluded it plainly means the revocation period shall commence from whatever date the court, in its sound discretion, indicates in the sentencing order.[5] Our courts have explained that the phrase "ordered by the court" directly follows and modifies the word "date."[6] And the verb "ordered" in this context has an entirely different meaning from the noun "order," which is the document imposing the sentence.[7] Thus,

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[4] See *State v. Thomas*, 268 Neb. 570, 685 N.W.2d 69 (2004).

[5] See, *State v. Fuller*, 278 Neb. 585, 772 N.W.2d 868 (2009); *State v. Nelson*, 276 Neb. 997, 759 N.W.2d 260 (2009); *State v. Richardson*, 17 Neb. App. 388, 763 N.W.2d 420 (2008); *State v. Lankford*, 17 Neb. App. 123, 756 N.W.2d 739 (2008).

[6] See, *State v. Fuller, supra* note 5; *State v. Lankford, supra* note 5.

[7] See *id.*

the date the revocation period is to begin is not necessarily the date the sentencing order is issued.[8]

In *State v. Fuller*,[9] we accordingly rejected the defendant's argument that the court could not order his 15-year license suspension to start when he was released from confinement for multiple related and unrelated offenses. We explained, "Obviously, some drivers may not be in a position to drive until they have served their sentence of incarceration. Therefore, the court is given the discretion to determine when the license revocation . . . is to begin . . . ."[10] In *State v. Heckman*,[11] we stated with regard to a similar statute that "[t]he only sensible result is that a penalty of suspending a motor vehicle operator's license be applied to individuals who have the ability to drive."

[5] Other courts have similarly noted that motorists whose operators' licenses have "been suspended in one matter and revoked in another" are not generally considered entitled to serve the penalties concurrently.[12] Motorists committing multiple violations should not expect a sanction equivalent to that imposed on a motorist committing a unitary violation.[13] We agree that a mandatory rule that the revocation period for driving with a revoked license be concurrent to the preexisting period of revocation would provide little incentive for motorists not to drive with revoked licenses.

We have never directly addressed an argument that the last sentence of § 60-6,197.06—that "[s]uch revocation and order shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked"—constrains the trial court's discretion to order when the mandatory 15-year license revocation period

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[8] See *id*.

[9] *State v. Fuller, supra* note 5.

[10] *Id*. at 590, 772 N.W.2d at 871.

[11] *State v. Heckman*, 239 Neb. 25, 30, 473 N.W.2d 416, 420 (1991).

[12] 60 C.J.S. *Motor Vehicles* § 428 at 480 (2012).

[13] See *Alabama Dept. of Public Safety v. Barbour*, 5 So. 3d 601 (Ala. Civ. App. 2008).

shall begin. But we observe that this "shall be administered" sentence was part of the relevant statutes when our courts determined that the period of revocation need not necessarily begin the same date as the sentencing order and may instead commence upon whatever date the court, in its sound discretion, directs.[14]

In *Fuller*, we implicitly rejected Policky's argument by affirming a revocation period ordered to commence when the defendant was released from prison.[15] Such commencement of revocation did not correspond to the date of sentencing, the date of the final judgment of any appeal or review, or to the date that any probation is revoked.

To the extent that the "shall be administered" sentence of § 60-6,197.06 could be read as ambiguous or in conflict with the rest of the statute, it must be construed in harmony with the entire statute and its intent.[16] When words of a particular clause, taken literally, would plainly contradict other clauses of the same statute, or lead to some manifest absurdity or to some consequences which we see plainly could not have been intended, or to result manifestly against the general term, scope, and purpose of the law, then we may apply the rules of construction to ascertain the meaning and intent of the lawgiver, and bring the whole statute into harmony if possible.[17] As explained, the clear intent of the "from the date ordered by the court" language is to allow trial courts discretion in determining when the period of revocation shall begin.

The last sentence of § 60-6,197.06 immediately follows the phrase, "the court shall . . . revoke . . . for a period . . . from the date ordered by the court," and refers directly back to "[s]uch revocation and order . . . ." We expressly conclude now what we implicitly concluded in *Fuller*: This last sentence of

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[14] See cases cited *supra* note 5.

[15] See *State v. Fuller, supra* note 5.

[16] See *Anthony, Inc. v. City of Omaha*, 283 Neb. 868, 813 N.W.2d 467 (2012).

[17] *Id.*

§ 60-6,197.06 was not intended to limit the trial court's discretion in crafting "[s]uch revocation and order . . . ."

[6] Our interpretation is consistent with sound public policy and the trial court's general discretion to order sentences consecutively or concurrently. Furthermore, the Legislature has not amended § 60-6,197.06 since our decision in *Fuller*. When judicial interpretation of a statute has not evoked a legislative amendment, it is presumed that the Legislature has acquiesced in the court's interpretation.[18]

Policky believes § 60-6,197.06 mandates that the trial court sentence him to a 15-year license revocation running concurrently with the 15-year license revocation in effect when he committed the crime of driving with a revoked license and continuing until 2018. We find no merit to this contention. Because his license was already revoked, if the court had ordered the 15-year license revocation in issue to run from the date of sentencing, a significant part of that revocation period would be meaningless. The trial court did not abuse its discretion in the date that it chose for Policky's 15-year revocation period to commence.

CONCLUSION

For the foregoing reasons, we affirm the lower court's judgment.

AFFIRMED.

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[18] *Sheldon-Zimbelman v. Bryan Memorial Hosp.*, 258 Neb. 568, 604 N.W.2d 396 (2000).