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reported that she made threats of bodily harm to Joshua's wife—Keegan's stepmother.

The DHHS report also suggests that Keegan's health and general welfare improved after being taken from Amy's custody and placed with Joshua. Given the evidence presented, the trial court did not abuse its discretion in finding that it was in Keegan's best interests to grant Joshua custody of Keegan.

CONCLUSION

The district court had jurisdiction of the case, despite the fact that Joshua did not serve the State. This is so because the State was not a necessary party to the case. The trial court did not err in denying either the motion to continue or the motion for new trial, nor did it err in determining that it was in Keegan's best interests to award custody to Joshua. We therefore affirm the judgment of the trial court.

AFFIRMED.

NICK LESSER, ALSO KNOWN AS KLAUS LESSER, APPELLANT, V. EAGLE HILLS HOMEOWNERS' ASSOCIATION, INC., APPELLEE.

824 N.W.2d 77

Filed December 11, 2012. No. A-12-268.

1. **Courts: Appeal and Error.** Neb. Rev. Stat. § 25-2733 (Reissue 2008) provides that when the district court is sitting as an appellate court, the district court shall review the case for error appearing on the record made in the county court.
2. **Judgments: Appeal and Error.** When reviewing a judgment for errors appearing on the record, the inquiry is whether the decision conforms to the law, is supported by competent evidence, and is neither arbitrary, capricious, nor unreasonable.
3. ____: ____. In instances when an appellate court is required to review cases for error appearing on the record, questions of law are nonetheless reviewed de novo on the record.
4. **Judgments.** In the absence of a request by a party for specific findings, a trial court is not required to make detailed findings of fact and need only make its findings generally for the prevailing party.
5. **Trial: Judgments: Evidence: Appeal and Error.** If there is a conflict in the evidence, the appellate court in reviewing the judgment rendered will presume that the controverted facts were decided in favor of the successful party, and the findings will not be disturbed unless clearly wrong.

6. **Appeal and Error.** An appellate court is not obligated to engage in an analysis which is not needed to adjudicate the controversy before it.
7. **Courts: Appeal and Error.** An appellate court may consider issues not ruled upon by an intermediate appellate court; however, where the intermediate appellate court does not reach any of the appellants' assigned errors, it is proper to allow that court to consider those errors in the first instance.

Appeal from the District Court for Sarpy County, MAX KELCH, Judge, on appeal thereto from the County Court for Sarpy County, JOHN F. STEINHEIDER, Judge. Judgment of District Court reversed, and cause remanded for further proceedings.

Douglas W. Ruge, P.C., L.L.O., for appellant.

Steven G. Ranum and Scott D. Jochim, of Croker, Huck, Kasher, DeWitt, Anderson & Gonderinger, L.L.C., for appellee.

IRWIN, PIRTLE, and RIEDMANN, Judges.

RIEDMANN, Judge.

INTRODUCTION

Nick Lesser, also known as Klaus Lesser, appeals from the order of the district court for Sarpy County affirming the county court's dismissal of his action. We find the district court erred, and we reverse, and remand for further proceedings.

BACKGROUND

Lesser filed a small claims action against Eagle Hills Homeowners' Association, Inc. (Eagle Hills), in the county court for Sarpy County for reimbursement of filing fees paid by Lesser to file amended homeowners' association bylaws. Eagle Hills denied Lesser's request for reimbursement because of a dispute as to the validity of the amended bylaws. After a hearing in county court, the court issued an order that stated, "Upon the [e]vidence, [Lesser's] claim should be dismissed at [his] cost."

Lesser appealed the decision to the district court for Sarpy County. On appeal, the district court took judicial notice of the bill of exceptions from the county court proceedings. After briefing and argument, the district court affirmed, finding that because the lower court's order did not set forth the reasoning for its decision, it had "no basis to determine whether

the [c]ounty [c]ourt based its decision on factual issues, legal issues, or a combination of both." The district court therefore concluded that there was insufficient evidence to find any error on the record. Lesser now appeals to this court.

ASSIGNMENTS OF ERROR

Lesser alleges that the district court erred in (1) not abiding by the proper standard of review in reaching its decision that Lesser failed to meet his burden, (2) failing to rule that the Eagle Hills' board of directors properly amended the bylaws, (3) failing to rule that Lesser should be reimbursed for recording the bylaws as provided in the amended bylaws, and (4) failing to rule that Neb. Rev. Stat. § 21-1962(b) (Reissue 2012) had no applicability to the vote of the Eagle Hills' board of directors or that, even if it did, it did not invalidate the other amendments to the bylaws.

ANALYSIS

The district court and higher appellate courts generally review appeals from the county court for error appearing on the record. *First Nat. Bank of Unadilla v. Betts*, 275 Neb. 665, 748 N.W.2d 76 (2008). Therefore, we must determine whether the district court erred in affirming the county court's decision.

District Court Review.

Lesser first asserts that the district court erred in failing to perform its appellate duty under Neb. Rev. Stat. § 25-2733 (Reissue 2008) to review for error appearing on the record. Lesser claims the district court should have determined whether the evidence in the record supported the county court's ruling. We agree.

[1-3] Section 25-2733 provides that when the district court is sitting as an appellate court, the district court shall review the case for error appearing on the record made in the county court. When reviewing a judgment for errors appearing on the record, the inquiry is whether the decision conforms to the law, is supported by competent evidence, and is neither arbitrary, capricious, nor unreasonable. *First Nat. Bank of Unadilla, supra*. In instances when an appellate court is

required to review cases for error appearing on the record, questions of law are nonetheless reviewed de novo on the record. *Id.*

[4,5] In the absence of a request by a party for specific findings, a trial court is not required to make detailed findings of fact and need only make its findings generally for the prevailing party. *Lange Indus. v. Hallam Grain Co.*, 244 Neb. 465, 507 N.W.2d 465 (1993); *White v. Medico Life Ins. Co.*, 212 Neb. 901, 327 N.W.2d 606 (1982). See Neb. Rev. Stat. § 25-1127 (Reissue 2008). If there is a conflict in the evidence, the appellate court in reviewing the judgment rendered will presume that the controverted facts were decided in favor of the successful party, and the findings will not be disturbed unless clearly wrong. *C. Goodrich, Inc. v. Thies*, 14 Neb. App. 170, 705 N.W.2d 451 (2005).

The district court in this case concluded there was insufficient evidence to find any error on the record because the county court did not set forth the reasoning for its decision. The district court, therefore, found it had no basis to determine whether the county court based its decision on factual issues, legal issues, or a combination of both. The district court's failure to review the record to determine whether the decision conforms to the law and was supported by the evidence was error because the county court was required to make only a general finding in favor of the prevailing party.

In the present case, it is undisputed that neither party requested that the county court make specific findings. It was, therefore, permissible for the county court to make only a general finding in favor of Eagle Hills. While the Nebraska Supreme Court has noted that specific findings "are unquestionably desirable and helpful in focusing [appellate] review," an appellate court must nonetheless review the record for error. *Brooke v. Brooke*, 234 Neb. 968, 969, 453 N.W.2d 438, 439 (1990).

On appeal, the district court should have presumed that the county court decided all controverted facts in favor of Eagle Hills and analyzed the record to determine whether those findings were clearly wrong. In addition, the district court should have conducted a de novo review of the record on issues of

law. Accordingly, we find the district court erred in failing to review the record to determine whether the county court's order conforms to the law, is supported by the evidence, and is not arbitrary, capricious, or unreasonable. We reverse, and remand to the district court for a review of the record.

Remaining Assignments of Error.

[6,7] Having made the above determination, it is unnecessary for us to address Lesser's remaining assignments of error. An appellate court is not obligated to engage in an analysis which is not needed to adjudicate the controversy before it. *Castillo v. Young*, 272 Neb. 240, 720 N.W.2d 40 (2006). We recognize that an appellate court may consider issues not ruled upon by an intermediate appellate court; however, where the intermediate appellate court does not reach any of the appellants' assigned errors, it is proper to allow that court to consider those errors in the first instance. See *Debose v. State*, 267 Neb. 116, 672 N.W.2d 426 (2003). Furthermore, we note that § 25-2733 provides a level of appellate review to which the parties are entitled; to decide this case on the merits prior to review by the district court would deprive the parties of this statutory right.

Since the district court did not review the record for error, we find it appropriate that the district court must first perform its duty and address Lesser's remaining assignments of error. After the district court performs its appellate review function, either party is then free to appeal from all or part of the district court's ruling. Therefore, at this time, we are unable to review the remaining assignments of error and express no opinion as to their merit.

CONCLUSION

The district court erred in failing to review for error appearing on the record. We, therefore, reverse the decision of the district court and remand the cause to the district court for a review consistent with this opinion.

REVERSED AND REMANDED FOR FURTHER PROCEEDINGS.