

IN THE COURT OF APPEALS
 OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
 OF THE FLATHEAD RESERVATION, PABLO, MONTANA

TAMARA K. SORRELL (CRAFT) FRAGUA,)	
)	CAUSE NO. AP-95-002-AO
Appellant,)	
)	
vs.)	ORDER DISMISSING
)	APPEAL
)	
CONFEDERATED SALISH AND KOOTENAI)	
TRIBAL COURT,)	
)	
Appellee.)	

Based upon the Stipulated Agreement filed by the parties, and good cause appearing, IT IS HEREBY ORDERED that the above-entitled appeal is dismissed in accordance with the filed stipulated agreement and pursuant to Rule 22 of the Tribal Appellate Court Procedures Ordinance. Each party shall bear their own costs of this appeal.

SO ORDERED this 20th day of February, 1996.



Robert M. Peregoy
 Robert M. Peregoy, Chief Justice

Jim Wheelis
 Jim Wheelis, Associate Justice

Robert Gauthier
 Robert Gauthier, Associate Justice

CERTIFICATE OF MAILING

I, Abigail Dupuis, Appellate Court Administrator, do hereby certify that I mailed true and correct copies of the ORDER DISMISSING APPEAL to the persons first named therein at the addresses shown below by depositing same in the U.S. Mail, postage prepaid at Pablo, Montana, or hand-delivered this 20th day of February, 1996.

Evelyn M. Stevenson
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Tribal Legal Services
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P. O. Box 278
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Gary Acevedo
Acting Chief Judge
Tribal Court
Confederated Salish and Kootenai Tribes
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Abigail Dupuis
Abigail Dupuis
Appellate Court Administrator

FEB 13 1996

4:30 pm/awd
COURT OF APPEALS

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Appellee/Respondent

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OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, PABLO, MONTANA

TAMARA K. SORRELL (CRAFT) FRAGUA,)
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Appellant,)
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vs.)
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)
)
CONFEDERATED SALISH AND KOOTENAI)
TRIBAL COURT,)
)
Appellee.)
_____)

CAUSE NO. AP-95-002-AO
STIPULATED AGREEMENT
TO DISMISS

Appellant and Appellee stipulate as follows:

1. That the contempt of court process of "defaulting jurors" arising out of the Bartell v. Kerr jury trial did not provide adequate due process to Appellant.

2. That Appellee has vacated, quashed and dismissed with prejudice the contempt of court orders, warrants and sentencing of the alleged defaulting jurors, namely, Tamara K. Sorrell

(Craft) Fragua, Tina Billedeaux, Lorraine Meeks, Rose Pierre, Kendall Dupuis, Marshall McClure, Brenda Morton, Cheyenne McClure, Monty Nelson, and Annie McDonald.

3. That Appellee has changed the procedure for charging defaulting jurors with contempt of court.

Appellant and Appellee further stipulate:

4. To waive oral argument before this Court; and
5. To dismiss the above-entitled appeal before this Court.

DATED this 19th day of February, 1996.

*Debra L. du Mortier for
Evelyn M. Stevenson per telephone
2-19-96 at 3:30*
Evelyn M. Stevenson
Attorney for Appellant

Gary L. Acevedo
Gary L. Acevedo, (Acting
Chief Judge of the
Confederated Salish and
Kootenai Tribal Court,
Appellee