

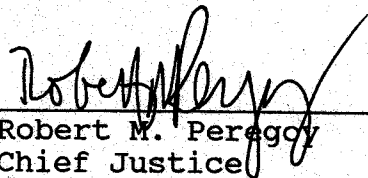
Such an interlocutory order is normally reviewable on appeal from final judgment. *Id.*

Here, the merits have yet to be adjudicated. Because the trial court's denial of Smith's motion to dismiss for failure to state a claim is not a final order, this court is without jurisdiction to review Smith's appeal. It is therefore dismissed for want of jurisdiction.

APPEAL DISMISSED AND CASE REMANDED FOR FURTHER PROCEEDINGS

IT IS SO ORDERED this 30th day of March, 1996.




Robert M. Peragoy
Chief 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 5th day of April, 1996.

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Tribal Court

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