

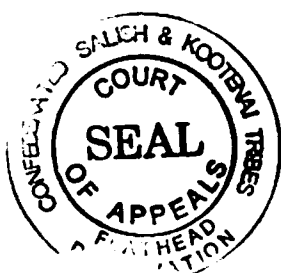
**IN THE APPELLATE COURT
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION, PABLO, MONTANA**


CONFEDERATED SALISH AND KOOTENAI TRIBES,)	
)	Cause No. AP-04-2070-TC
)	
Plaintiff-Appellee,)	
)	
vs.)	ORDER DISMISSING APPEAL
)	
ENEAS CONKO,)	
)	
Defendant-Appellant.)	
)	

The court *sua sponte* dismisses the above-entitled appeal because the appellant has not followed the Rules of Appellate Procedure, **Rule 3. Record on appeal. (2)** Within 5 days after filing the notice of appeal, the appellant shall order from the court reporter a transcript of such parts of the proceedings not already on file. A transcript was not ordered.

The Court of Appeals is not a court to hear witnesses and exact testimony, but instead, relies upon a full record from the trial court to proceed. Not having a full record is fatal to the immediate case, and is therefore ordered this appeal is dismissed with prejudice.

SO ORDERED this 7th day of March, 2007.




 William Joseph Moran
 Chief Justice of the Appellate Court

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Certificate of Mailing

I, Abigail Dupuis, Appellate Court Administrator, do hereby certify that I mailed a true and correct copy 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 7th day of March, 2007.

Eneas Conko
P.O. Box 654
Pablo, Montana 59855

Officer Van Hoose
Montana Highway Patrol
410 1st Street East, #5
Polson, Montana 59860

Donna Durglo
Clerk of the Tribal Court
Confederated Salish and Kootenai Tribes
P.O. Box 278
Pablo, Montana 59855


Abigail Dupuis
Appellate Court Administrator