

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

No. APCV-120-93

CHECK COLLECT,

Plaintiff-Appellee,

vs.

GARY NEUMANN,

Defendant-Appellant.

Appeal from the Trial Court
of the Confederated Salish and Kootenai Tribes
No. CV-120-93--Stephan A. Lozar, Tribal Court Judge.

Decided June 30, 1994

Before GAUTHIER, HALL and PEREGOY, Civil Appellate Judges.

DISMISSAL OF APPEAL

PEREGOY, Chair, Civil Appellate Panel:

This appeal arises out of a dispute between Check Collect and Gary Neumann. The trial court entered a default judgment in favor of Check Collect for a total judgment of \$1,505.20, and further denied Neumann's motion to reconsider the order of default. Neumann appealed, and thereafter filed a motion with this court to dismiss his own appeal on the ground that the parties had resolved the dispute.

Rule 17 of the Tribal Court Appellate Procedures provides in relevant part that "An appeal may be dismissed on motion of the appellant upon such terms and conditions as may be

fixed by the parties or fixed by the Chief Judge of the Tribal Court." Appellant Neumann has properly moved for dismissal, and no objection has been filed. Accordingly, the appeal is **DISMISSED.**

SO ORDERED this 30th day June, 1994.

/s/

Robert M. Peregoy, Chairman
Civil Appellate Panel