

validity of the appeal. The Administrator shall note in the appellate docket the names of the parties to whom copies have been mailed, with the date of mailing.

Mr. Clairmont only filed his appeal with the lower court. No filings were made with the Appellate Court and this case was not on the docket because this Court had no notice of it until the lower court transmitted the record. The Rules of Appellate Procedure are very clear: especially Rule 1, which says that a proper appeal must begin with a filing to the Appellate Court administrator. The Rules do not allow this Court to take jurisdiction over a matter that did not get filed properly.

ORDER

The Notice of Appeal was not filed with the Appellate Court as mandated by Rule 1 of the Rules of Appellate Procedure.

IT IS HEREBY ORDERED that the case before this Court is **DISMISSED** with prejudice.

IT IS SO ORDERED THIS 22nd DAY OF NOVEMBER, 2011.




Eldena N. Bear Don't Walk
Chief Justice

Cc: Thane Johnson, Attorney for Clairmont
Robert Long, Attorney for Elderhead
Elderhead Reservation

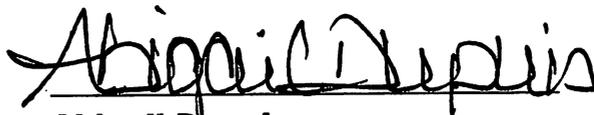
Certificate of Mailing

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, this 23rd day of November, 2011.

**Thane Johnson
Johnson, Berg, McEvoy & Bostock, PLLP
Box 3038
Kalispell, MT 59903-3038**

**Robert J. Long
Long Law Office, P.C.
311 2nd St. E.
Polson, MT 59860**

**Cara Croft
Clerk of the Tribal Court
P.O. Box 278
Pablo, MT 59855**

A handwritten signature in black ink that reads "Abigail Dupuis". The signature is written in a cursive style and is positioned above a horizontal line.

**Abigail Dupuis
Appellate Court Administrator**