

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

SHERRY CLAIRMONT )  
 )  
 Appellant, ) CASE NO. 01-191-CV  
 vs. )  
 ) ORDER TO DISMISS APPEAL  
 )  
 KAO CAMEL, )  
 )  
 Appellee. )

An appeal was filed with the Court of Appeals on or about April 11, 2005, wherein Appellant appealed the Trial Court's Temporary Restraining Order. The Temporary Restraining Order was entered by the Trial Court on March 14, 2005, and the Temporary Restraining Order expired at 10:00 a.m., on March 14, 2006.

The Court of Appeals has exclusive jurisdiction over appeals by an aggrieved party from a "final judgment." *See Section 1-2-817 CSKT Laws Codified.* In this case, the Appellant filed an appeal for a "temporary" order rather than "final" order of the Court. Further, when a Temporary Restraining Order expires because the time period of the Temporary Order has lapsed, an appeal will be dismissed as moot. *See Moran v. CSKT, AP-95-282-CV.*

Based on the foregoing reasons, this Appeal is hereby dismissed on this 29<sup>th</sup> day of November, 2010.



CONCUR:

Cherie Stewart  
Cherie Stewart, Chief Justice

Eldena N. Beard Justice  
Associate Justice

[Signature]  
Associate Justice

CERTIFICATE OF MAILING

I, Abigail Dupuis, Appellate Court Administrator, do hereby certify that I mailed true and correct copies of the **ORDER TO DISMISS 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 7<sup>TH</sup> day of December, 2010.

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