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IN THE COURT OF APPEALS
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION

CSKT,

APPELLEE,

vs.

ANGELO GONZALEZ,

APPELLANT.

CAUSE NO. AP-17-0077-TC

ORDER DISMISSING APPEAL

Angelo Gonzalez filed a Notice of Appeal with this Court on March 8, 2017 appealing his conviction in Traffic Court on February 28, 2017. Such appeals are governed by the Confederated Salish and Kootenai Law and Order Code (2013). Several deadlines, as dictated by the CSKT Rules of Appellate Procedure (hereinafter Rules), must be met in order for this Court to be able to hear a case.

Appellant filed a Notice of Appeal on March 8, 2017. A Notice of Appeal must be filed within 20 days of the date of a final judgment from the trial court. The Appellant's notice was timely. Within five days of filing a Notice of

1 Appeal, an Appellant must order a transcript of the lower court record according to
2 Rule 3 of the Rules. Mr. Gonzalez requested the transcript on March 8, 2017.

3 Rule 4 indicates that the lower court record must be transmitted to the
4 Appellate Court Clerk within 30 days after filing the Notice of Appeal, unless an
5 extension has been granted for good cause. Through what appears to be no fault of
6 Mr. Gonzalez, the lower court did not transfer the record to this Court until April
7 16, 2018, almost a year later. Upon the completion of the record transmitting, the
8 case was deemed transferred to the Appellate Court on April 17, 2018.

9 The issue in this case arises with the filing of the brief as required by Rule
10 15 of the Rules. Rule 15 lays out the process through which an Appellant must
11 write, file and serve his brief. Rule 15 (1) in relevant part says “An appellant’s brief
12 shall be filed and served within 20 days of the date the record is filed and
13 transmitted...” Appellant’s Brief was due by May 22, 2018. No brief was filed
14 with this Court.
15

16 Rule 14 allows an extension of time for good cause shown. However, no
17 extension was sought by the Appellant.

18 Without a brief in support of his Appeal explaining what relief the Appellant
19 seeks, this Court has nothing on which it can make a ruling.

20 This Court must dismiss this case for failure to file a brief.

21 ORDER

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

24 SO ORDERED this 19th day of February, 2019.



Eldena Bear Dont Walk, LLM
Eldena N. Bear Don't Walk, LLM
Chief Justice, CSKT Appellate Court

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 through interoffice mail this 20th day of February, 2019.

**Angelo Gonzalez
72520 Laughing Louie Adams Lane
Arlee, MT 59821**

**Officer Matthew Finley
Tribal Police Department
PO Box 278
Pablo, MT 59855**

**Chelsi Camel
Clerk of the Tribal Court
PO Box 278
Pablo, MT 59855**


**Abigail Dupuis
Appellate Court Administrator**