

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

JOELENE FREY,)	Cause No. AP-09-094-SC
)	
Plaintiff-Appellee,)	
)	
vs.)	ORDER DISMISSING APPEAL
)	
THOMAS SMITH,)	
)	
Defendant-Appellant.)	


Appellant, Thomas Smith, filed a Notice of Appeal in the above named cause on January 26, 2010, appealing the final judgment issued by the CSKT Tribal Court on October 27, 2009.

According to Ordinance 103-A, CSKT Laws Codified, Part 9, Rules of Appellate Procedure, Rule 1. Notice of Appeal. (1), "*An appeal shall be taken by filing a notice of appeal with the Appellate Administrator, with a copy to the Clerk of the Tribal Court within 20 days of the date of the final judgment or order of the trial court. Failure of an appellant to timely file a notice of appeal is ground for dismissal of the appeal.*" Appellant failed to file the Notice of Appeal prescribed by the Rules of Appellate Procedure.

THEREFORE, IT IS HEREBY ORDERED that this appeal is dismissed with prejudice.

DATED this 16th day of November, 2010.





Cherie Stewart
Chief Justice of the Appellate Court

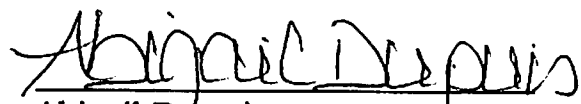
Certificate of Mailing

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, this 18th day of November, 2010.

Thomas Smith
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Polson, MT 59860

Joelene Frey
34520 N. Reservoir Road
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Cara Croft
Clerk of the Tribal Court
PO Box 278
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Abigail Dupuis
Appellate Court Administrator