

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

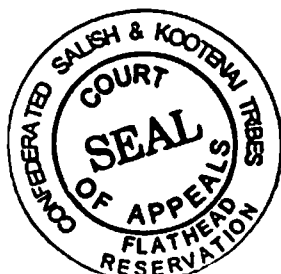
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|----------------------|---|--------------------------------|
| ELAINE M. HARRISON, |) | |
| |) | Cause No. AP-06-375-CV |
| Plaintiff-Appellee, |) | |
| |) | |
| vs. |) | ORDER DISMISSING APPEAL |
| |) | |
| MICHAEL SCHWARZ, |) | |
| |) | |
| Defendant-Appellant. |) | |

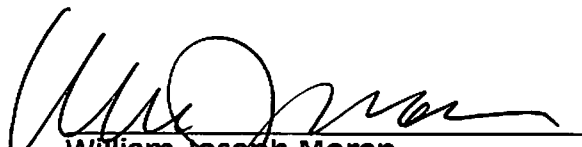
The matter before the court is Appellant, Michael Schwarz's, failure to prosecute or pursue his appeal by filing with this appeal's court a transcript of the trial court. The Court of appeals is dependent upon the Laws of the Confederated Salish and Kootenai Tribes Codified to provide prudent and efficient processes when hearing matters appealed. A transcript of the court below is most often the best record of the trial court's proceedings.

The Laws of the Confederated Salish and Kootenai Tribes, Part 9, Rules of Appellate Procedure, Rule 3. Record of Appeal (2) Within 5 days after filing the notice of appeal, the appellant shall order from the court reporter a transcript of such parts of the proceedings not already on file as the appellant deems necessary for inclusion in the record. The transcript shall be filed and certified with the clerk of the Tribal Court as part of the record on appeal within 20 days of the filing of the notice of appeal.

The record before this court is devoid of a transcript and devoid of requested actions by this court to make a transcript available. **THEREFORE, IT IS ORDERED** that the appeal in this matter is dismissed with prejudice.

SO ORDERED this 7th day of March, 2007.




 William Joseph Moran
 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, or hand-delivered this 7th day of March, 2007.

Elaine M. Harrison
1103 Third Street East
Polson, Montana 59860

Daniel Minnis
Montana Legal Services Association
Cut Bank, Montana 69427

Donna Durglo
Clerk of the Tribal Court
Confederated Salish and Kootenai Tribes
P.O. Box 278
Pablo, Montana 59855


Abigail Dupuis
Appellate Court Administrator