

IN THE APPELLATE COURT
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD INDIAN NATION

THE CONFEDERATED SALISH AND KOOTENAI TRIBES,)	Cause No. AP-99-1092-CR
)	
)	
Appellee,)	ORDER FOR REMAND & WAIVER
)	OF ATTORNEY-CLIENT PRIVILEGE
vs.)	
)	
FRANCIS C. SNELL,)	
)	
Appellant.)	

Upon the Motion for Remand to the Trial Court and for an Order Waiving the attorney-client privilege, the Appellant's attorney not objecting and good cause appearing;

IT IS HEREBY ORDERED that this cause be remanded to the Trial Court for hearing on the merits of Appellant's assertions made through his affidavit, and findings of fact and conclusions of law or any other relief deemed appropriate by the Trial Court.

This Court understands that Appellant will voluntarily waive the attorney-client privilege to the extent that communications, or lack thereof, between Appellant and his trial counsel, Ranald McDonald, have been placed in issue by Appellant. With such a voluntary waiver, this Court need not order that the privilege be waived.

DATED this 15th day of December, 2000.





Chief Justice

CERTIFICATE OF MAILING

I hereby certify that on December 15, 2000, I mailed true and correct copies of the foregoing Order by first class mail, postage prepaid to the following:

Larry D. Mansch
800 Kensington
Suite 202
Missoula, MT 59801

Robert L. Deschamps III
TRIBAL PROSECUTORS OFFICE
Confederated Salish and Kootenai Tribes
Post Office Box 278
Pablo, Montana 59855



CERTIFICATE OF MAILING

I, Abigail Dupuis, Appellate Court Administrator, do hereby certify that I mailed true and correct copies of the ORDER FOR REMAND AND WAIVER OF ATTORNEY-CLIENT PRIVILEGE 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 18th day of December, 2000.

**Rhonda Jean
Clerk of the Tribal Court
Confederated Salish and
Kootenai Tribes
Post Office Box 278
Pablo, Montana 59855**



**Abigail Dupuis
Appellate Court Administrator**