

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

WILHEMINA R. ADAMS,)	CAUSE NO.
Appellant,)	ORDER DISMISSING APPEAL
Vs.)	
)	
SALISH KOOTENAI HOUSING)	
AUTHORITY)	
Appellee.)	
)	

Wilhemina R. Adams filed a blank motion with this Court on November 14, 2011.

Attached to that blank motion was a final judgment and order from the lower court which appears to have been mailed to Ms. Adams on October 27, 2011. This Court cannot proceed with this appeal because it was not properly filed and the Appellant failed to pursue her appeal.

Rule 1 of the Rules of Appellate Procedure in the Confederated Salish and Kootenai Tribes Law Codified (2003) says in relevant part, "(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."

Ms. Adams filed a blank Motion form with the Appellate Court Administrator. Ms. Adams did fill in the caption of the document, noting the parties' names but wrote no other information. If this Court is to determine that what Ms. Adams filed was in fact a Notice of Appeal, at the very least, she needed to adhere to Rule 1(3) of the Rules of Appellate Procedure which says "The notice of appeal shall specify the party or parties taking the appeal, and shall designate the judgment, order, or part of either appealed from."(CSKT Codified 2003).

Even if this Court were to accept the blank document as a notice of appeal, which it isn't, the Appellant failed to file a copy of the document with the lower court clerk and pay the fee as directed both by Rules 1 and 5 of the Rules of Appellate Procedure. The Appellant's time to do so has passed. Without filing a proper notice of appeal with the

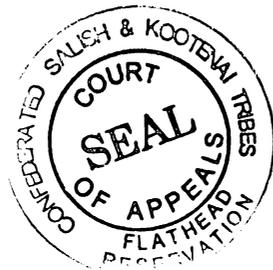
Appellate Court Administrator, the Appellant has failed to pursue her appeal. This Court is left with no choice but to dismiss this appeal.

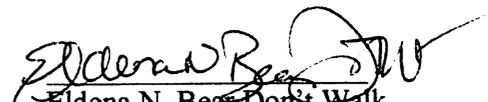
ORDER

The Notice of Appeal was not filed as mandated by Rule 1 of the Rules of Appellate Procedure.

IT IS HEREBY ORDERED that this Appeal is DISMISSED with prejudice.

IT IS SO ORDERED THIS 13th day of December, 2011




Eldena N. Bear Don't Walk
Chief Justice

Cc: Wilhemina Adams, Appellant
SKHA, Appellee

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 via inter-office mail this 15th day of December, 2011.

Wilhelmina R. Adams
38 Saxsa Drive
St. Ignatius, Montana 59855

Donna Durglo
Salish Kootenai Housing Authority
P.O. Box 38
Pablo, Montana 59855

Cara Croft
Clerk of the Tribal Court
P.O. Box 278
Pablo, MT 59855



Abigail Dupuis
Appellate Court Administrator