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

MARIETTA TELLIER,
APPELLANT/RESPONDENT,
vs.
SALISH KOOTENAI HOUSING
AUTHORITY,
APPELLEE/PLAINTIFF.

CAUSE NO. AP-16-448-CV
ORDER DISMISSING APPEAL

Marietta Tellier filed a Notice of Appeal with this Court on February 16, 2017 appealing her eviction by the Salish and Kootenai Housing Authority. 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 February 16, 2017. A Notice of Appeal must be filed within 20 days of the date of a final judgment from the trial court. The Appellants 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. Ms. Tellier request the transcript on February 16, 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. The lower court transmitted a certified
6 copy of the hearing on March 2, 2017. Upon the completion of the record
7 transmitting, the case was deemed transferred to the Appellate Court on 04/06/17.

8 The issue in this case arises with the filing of the brief as required by Rule
9 15 of the Rules. Rule 15 lays out the process through which an Appellant must
10 write, file and serve her brief. Rule 15 (1) in relevant part says “An appellant's
11 brief shall be filed and served within 20 days of the date the record is filed and
12 transmitted...” Appellant’s Brief was due by May 11, 2017. No brief was filed
13 with this Court.
14

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

17 Without a brief in support of her Appeal explaining what relief the Appellant
18 seeks, this Court has nothing on which it can make a ruling.
19 This Court must dismiss this case for failure to file a brief.

20 ORDER

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

23 SO ORDERED this 31st day of July, 2017.



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

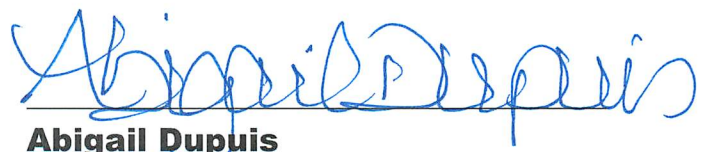
Certificate of Mailing

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, this 1st day of August, 2017.

**Marietta Tellier
31 Joscum Lane
St. Ignatius, MT 59865**

**Salish and Kootenai Housing Authority
PO Box 38
Pablo, MT 59855**

**Cara Croft
Clerk of the Tribal Court
PO Box 278
Pablo, MT 59855**



**Abigail Dupuis
Appellate Court Administrator**