

No. CA-04-001
Pascua Yaqui Court of Appeals

Romero, Lorenzo, Plaintiff/Appellee,

vs.

Romero, Yolanda, Respondent/Appellant.

OPINION

Appeal of Trial Court Case No. CV-03-112, the Honorable Judge Cruz presiding.

Lourdes Salomon Lopez, P.O. Box 35146 Tucson, AZ, 85740 for the Appellee.

Yancy Jencsok, Phoenix, AZ for the Appellant.


On June 16, 2004 Appellant filed a notice to appeal with this Court. According to the Rules of Appellate Procedure the appealing party has thirty days after receiving a Rule 120 notice of appeal to file a brief with the Court. The parties requested and were granted fourteen (14) appeals during the course of two years. In those two years, counselors representing the parties failed to file an index and transcript with the court and failed to stipulate to any facts from the trial court proceedings in lieu of an index and transcript.

The Court of Appeals does not have the capacity to fairly and efficiently review a Tribal Court case without a transcript or without a document stipulating basic facts.

Pursuant Rule 3 PYTRAP Rule 10(B) now 3 PYTC 2-3-120(B), the Chief Justice may summarily dismiss an appeal if the appellant fails to timely file the record.

Appeal is denied and case is dismissed without prejudice.

So **ORDERED** this 15th day of February 2012.



James C. Hopkins, Chief Judge