

No. CA-14-0004

Pascua Yaqui Court of Appeals

Global Cash Access, Inc. and Central Credit, LLC, Appellants,

vs.

Gaming Enterprise Division of the Pascua Yaqui Tribe, Appellee,

Interlocutory Civil Appeal of a Tribal Court Order dismissing GCA's counterclaims arising out of a service agreement between the parties in Case No. CV-13-076, the Honorable Melvin Stooft presiding.

Travis McGivern, Snell & Wilmer, L.L.P., One South Church Avenue, Suite 1500, Tucson, AZ 85701 for Appellant and Counterclaimants.

Kimberly Van Amburg, Gaming Enterprise Division of the PYT, 5655 W. Valencia Road, Tucson, AZ 85757 for Appellee and Counterdefendant.

Amanda Sampson-Lomayesva, office of the Attorney General Pascua Yaqui Tribe, 7777 W. Camino Huivisim, Bldg. C, Tucson, AZ 85757 for Appellee and Counterdefendant.

Opinion

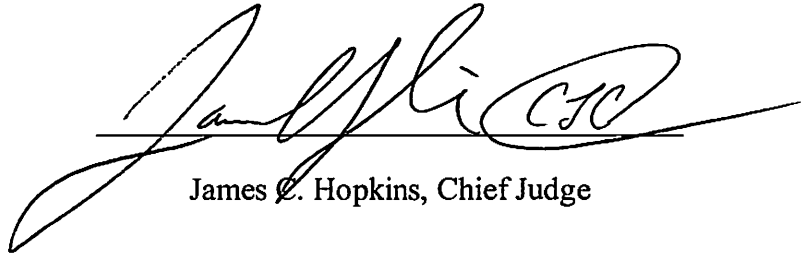
On May 22, 2014, Appellant filed an interlocutory appeal seeking review of the Tribal Court's April 28, 2014, order dismissing in part and denying in part CGA's counterclaims arising out of the June 1, 2008, service contracts between Appellant and Appellee. This appeal is based on a civil case, and since 3 PYTC §2-3-90(F) of the Pascua Yaqui Code prohibits interlocutory appeals arising out of civil cases, Appellant also motions this Court to suspend 3PYTC §2-3-90(F) and accept their interlocutory appeal. Appellee motions that this Court deny Appellant's motion and deny this interlocutory appeal.

The Pascua Yaqui Code provides that "[w]ords shall be given their plain meaning and technical words shall be given their usually understood meaning where no other meaning is specified." 1 PYTC §2-30(A). See *PYT v. Molina*, CA-14-003, p.4 (2014). The clear implication of this statutory construct is that interlocutory appeals arising out of civil cases are prohibited.

The Pascua Yaqui Code grants the Chief Justice authority to review each appeal and summarily dismiss an appeal based on an impermissible interlocutory appeal. 3 PYTC §2-3-170(A). See *Andrade v. Andrade*, CA-11-008, p.1 (2011).

For the foregoing reasons, this Court summarily dismisses this appeal.

So ORDERED on this 20th day of June, 2014.

A handwritten signature in black ink, appearing to read "James C. Hopkins", with a horizontal line drawn through the middle of the signature. The signature is stylized and cursive.

James C. Hopkins, Chief Judge