

98 MAY 11 PM 4:19

DOCKET NO. CR-98-152

CLERK [Signature]

1 PASCUA YAQUI TRIBE
7474 S. Camino de Oeste
2 Tucson, Arizona 85746
520 883-5190

3 LAURIE MARTIN PENNISON
4 Chief Prosecutor
State Bar # 013319

5 IN THE PASCUA YAQUI TRIBAL COURT
6 IN AND FOR THE PASCUA YAQUI RESERVATION

7
8 PASCUA YAQUI TRIBE,)
9 Plaintiff,)
10 v.)
11 VALENZUELA, GABRIEL,)
12 Defendant.)

NO. CR-98-152
NOTICE OF APPEAL

13 COMES NOW THE PLAINTIFF/APPELLANT, The Pasqua Yaqui Tribe,
14 by and through undersigned counsel, to hereby give notice
15 pursuant to 1 PYTC §1.13(1) that it appeals to the Pascua Yaqui
16 Tribal Court of Appeals the Tribal Court's ruling and judgment
17 dismissing the above-captioned matter.

18 RESPECTFULLY SUBMITTED THIS 11th day of May, 1998.

21 OFFICE OF THE PROSECUTOR
PASCUA YAQUI TRIBE

22 [Signature]
23 LAURIE MARTIN PENNISON
24 CHIEF PROSECUTOR

1 Original of the foregoing
delivered this 11th day of May 1998 to:

2
3 Clerk of the Court
Pascua Yaqui Tribal Court

4 Copy of the foregoing
mailed this 11th day of May 1998 to:

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6 Gabriel Valenzuela
7600 S. Camino Benem
Tucson, AZ 85746

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IN THE PASCUA YAQUI TRIBAL COURT

IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION

PASCUA YAQUI TRIBE)
Plaintiff)
V.)
Valenzuela Gabriel)
Defendant)
_____)

NO. CR-98-056

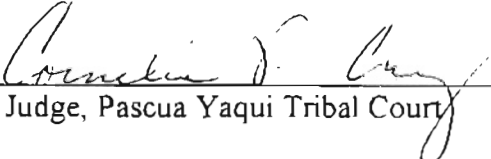
ORDER

The above matter came before the Court for trial hearing on this 11th day of May, 1998. The Tribe failed to appear; the defendant appeared without legal counsel.

The Court finds that the Tribe was duly notified of today's date and time of trial hearing and that this matter will be dismissed based on the Tribe's failure to appear for the trial hearing to prosecute this matter; that the Chief Prosecutor appeared in the Courtroom after the Court had entered it's ruling of dismissal with prejudice; that defendant has an outstanding Contempt of Court fine which was due on April 30, 1998 and the Court will extend the due date of the fine for one week.

IT IS ORDERED THAT this matter is hereby dismissed with prejudice based on the Tribe's failure to appear to prosecute this matter; that the bond posted in this matter is exonerated; defendant shall pay the outstanding Contempt of Court fine on or by **May 18, 1998**; all payments made shall be in the form of money order(s).

SO ORDERED THIS 11th DAY OF May, 19 98.



Judge, Pascua Yaqui Tribal Court

Cc:
Date: 5/12/98
 Tribe Defendant/Legal Counsel Other

Clerk