

IN THE JUDICIAL APPEALS TRIBUNAL
OF THE CHEROKEE NATION

FILED

MAY 08 1998

TIME
CHEROKEE NATION
JUDICIAL APPEALS TRIBUNAL

HAROLD J. DeMOSS, in his official
capacity as a Council Member of
the Cherokee Nation of Oklahoma,

Petitioner,

v.

JOE BYRD, JENNIE BATTLES,
JOHN UZZO, and GEORGE THOMAS,

Defendants.

JAT 98-02-V

ORDER DISMISSING CASE

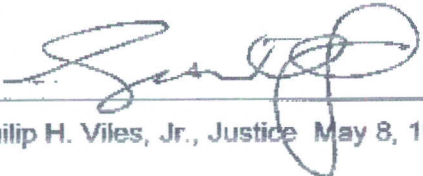
This Court entered a Minute Order on February 18th, striking the Status and Simplification Conference set for the following day, since neither party had filed the required Status and Simplification Report.

On April 21st, this Court entered a second such order, saying that no pleadings had been filed in the case since the February 18th order, (actually, Respondent filed a witness and exhibit list on April 21st) and striking the pre-trial conference set for April 23rd.

Since April 21, the only pleading is a Motion to Withdraw by Plaintiff's Counsel.

Considering all this, the Court dismisses this case on its own Motion. Should Petitioner desire to reactivate the case, he can do so by having new counsel file an appearance, or should the workload of current counsel permit, current counsel can file the appropriate pleadings. If the case is reactivated, however, it should be actively pursued to a conclusion with timely filings. Further, if the case *is* reactivated, Defendants are directed not to list "Cherokee Nation Code Annotated" as a trial exhibit. The court can take judicial notice of the Code.

A similar order will be filed in JAT-98-01-V.


Philip H. Viles, Jr., Justice May 8, 1998