

IN THE CROW COURT OF APPEALS

**IN AND FOR THE CROW INDIAN RESERVATION
CROW AGENCY, MONTANA**

CIV. APP. DKT. NO. 02-03-089

IN RE. MATTER OF:

**CHIEF JUDGE, ALBERT GROS VENTRE,
and ASSOCIATE JUDGE TIMOTHY SMELLS,
ASSOCIATE JUDGE THOMAS Q. MEDICINE HORSE,
and PEGGY LAMBERT for herself and all members of the Crow Tribe similarly situated,
Plaintiffs,**

vs.

**CROW TRIBE, the Crow Legislative Body,
Ben Cloud, individually and as Speaker of the House and
Clifford Bird In Ground, individually and as Chairman of the Crow Tribe,
and John Does 1, 2, 3, and 4,
Defendants.**

Entered March 8, 2002

[Cite as 2002 CROW 4]

Before Watt, J.

**ORDER CONSOLIDATING PRELIMINARY INJUNCTION HEARING
WITH SHOW CAUSE HEARING IN
*IN RE. MATTER OF CLB 0201***

[¶1](#) It has come to this Court's attention that the above-captioned case was filed on March 1, 2002, and that it has been duly served on the named defendants. The Complaint seeks a declaration that Tribal Legislative Act CLB 0201 is unconstitutional, along with temporary and permanent injunctive relief restoring the three elected plaintiff-Judges to their positions. In the absence of a Chief Judge to assign this case, it is doubtful that the Special Judge is authorized to hear it.

¶2 Because there is no other Tribal Judge to hear this case, and it raises issues identical to some of those raised in the Original Mandamus Proceeding initiated by this Court on March 5, 2002, and the equitable relief sought is similar,

¶3 IT IS HEREBY ORDERED that a Hearing on the Request for Preliminary Injunction in the above-captioned case shall be consolidated with the Show Cause Hearing in the original mandamus proceeding entitled *In re. Matter of CLB 0201*, Civ. App. Dkt. No. 02-01, and shall be held on **Thursday, March 14, 2002 at 10:00 a.m.** at the Crow Tribal Courthouse in Crow Agency, Montana.

¶4 IT IS FURTHER ORDERED that the Clerk shall serve copies of this consolidation order on the Elk River Law Offices (406-259-3251) as counsel for Chairman Birdinground, and Joe A. Rodriguez, (406-477-8361) as counsel for Speaker Cloud of the Tribal Legislature, as soon as practicable by facsimile, and cause copies of this order to be mailed or hand-delivered as soon as practicable to the parties named above, and to the respondents in *In re. Matter of CLB 0201*.

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