
**FORT PECK COURT OF APPEALS
ASSINIBOINE AND SIOUX TRIBES
FORT PECK INDIAN RESERVATION
POPLAR, MONTANA**

Fort Peck Assiniboine and Sioux Tribes,
Plaintiff and Appellee,

-vs-

APPEAL No. 020

David Douglas,
Defendant and Appellant.

**ORDER TO VACATE SENTENCE,
ORDER TO REMAND FOR TRIAL, AND
ORDER OF DENIAL OF RELEASE PENDING TRIAL**

Defendant and Appellant David Douglas, through his apparent attorney, Mary L. Zemyan of Wolf Point, Montana (notwithstanding that Defendant and Appellant's trial attorney of record, Wayne Webster, does not appear to have received the permission to withdraw as counsel from either the Tribal Court or the Court of Appeals, and notwithstanding that Attorney Zemyan does not appear to have filed notice of appearance or otherwise to have appeared except through telephone conversations to Chief Justice Julian H. Brown and through an amended petition for review and through a petition for release pending appeal with related pleadings), having petitioned for release pending appeal, and the Court of Appeals having reviewed the trial record before it, it is

ORDERED that the sentence imposed by The Honorable William McClammy, Trial Judge, on June 17, 1986, is vacated. It is

FURTHER ORDERED that the within lawsuit is remanded to the Fort Peck Tribal Court for trial. It is

STILL FURTHER ORDERED that Defendant and Appellant is denied release from custody pending trial, subject to further order of the Fort Peck Tribal Court.

Done this 8th day of August, 1986.

BY THE COURT OF APPEALS:

Julian H. Brown, Chief Justice

Arnie A. Hove, Associate Justice

Daniel R. Schauer, Associate Justice
