

**FORT PECK COURT OF APPEALS  
ASSINIBOINE & SIOUX TRIBES  
WOLF POINT, MONTANA**

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FORT PECK TRIBES,	)	
	)	
Plaintiff/Appellee,	)	Cause No. <u>484</u>
	)	
-vs-	)	
	)	<b>ORDER REVERSING</b>
BETTY WHITE,	)	<b>AND REMANDING</b>
	)	
Defendant/Appellant.	)	

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This matter comes before the Court of Appeals on a Notice of Appeal brought by Betty White, pro se. The Appellant appealed an Order dated August 29, 2007 finding her guilty of Neglect of a Child, a Class A misdemeanor.

The Court of Appeals heard oral arguments on June 23, 2008. Appellant appeared pro se and the Fort Peck Tribes were represented by Adrienne Weinberger, who argued orally.

Upon review of the Court file, the Orders and Pleadings and the oral arguments herein, this Court makes the following findings and Order:

1. This Court reviews de novo all determinations of the Tribal Court on matters of law. **II CCOJ, Section 202.** After review of the file and hearing oral arguments, this Court finds that the judgment and sentence imposed by the Court was not supported by law. Specifically, Appellant should be provided a hearing before a jail sentence is imposed by reason of behavior and actions of her child.

**BASED UPON THE FOREGOING FINDINGS AND GOOD CAUSE  
APPEARING:**

**IT IS NOW, THEREFORE, THE ORDER OF THIS COURT THAT:**

1. The judgment and order of the Tribal Court finding Appellant guilty of Neglect of a Child and imposing sentence of 20 days incarceration is reversed. The matter is remanded to the Fort Peck Tribal Court for such further actions as deemed just.

**DATED** this 26 day of June, 2008.

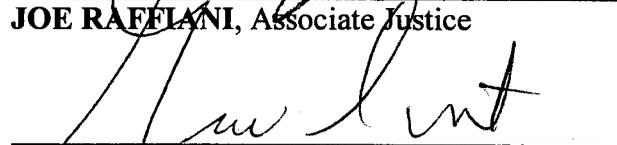
**FORT PECK COURT OF APPEALS**

By:



**BRENDA DESMOND**, Chief Justice

  
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**JOE RAFFANI**, Associate Justice

  
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**GERARD M. SCHUSTER**, Associate Justice