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

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## CHRISTINE WRIGHT, Plaintiff, Appellee

VS.

APPEAL No. 251

ADAM CHAMBERLAIN, Defendant/Appellant In the Matter of Lena Chamberlain, a minor child

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ORDER

Upon Motion of Christine Wright by and through counsel, Carol Johns and after consideration of the lower Court records including, the Custody and Support Order issued by the Honorable Robert Welch on or about July 21, 1995 and the Custody, Visitation and Support Order issued by the Honorable Clayton Reum on March 7, 1996, this Court issues the following.

1. The Court order of Clayton Reum dated March 7, 1996 is a temporary order not a final order of the Court as stated in said order " ...that this matter shall be scheduled for review 90 days from the date of the entry of this order. ..."

2. In accordance with Title I of the C.C.O.J. Section 202, the Appellate Courts jurisdiction does not include a review of interim or temporary orders issued by the Tribal Court, for such reason appellants Petition for Appeal is hereby denied.

3. As pertaining to "Applicantion for Stay of Order" dated March 8, 1996, this Court finds no exigent circumstances or irreparable harm to the child.

4. Nothing in the application for stay or in the affidavit in support of application for stay indicates that the appellants constitutional rights have been violated. All due rights have been afforded to the appellant and no constitutional issues remain at stake. All matters brought before this Court by Appellant are matters which touch and concern the merits of the case which would be properly brought before the Tribal Court.

## NOWTHEREFORE IT IS THE ORDER OF THIS COURT

- 1. Appellants petition for appeal is hereby denied.
- 2. Application for stay of order is hereby denied.

Dated this 19th day of March, 1996.

## FORT PECK COURT OF APPEALS:

GARY M. BEAUDRY Chief Justice Justice

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