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

IN THE MATTER OF

**RUBY JOANN TRINDER,
Appellee**

APPEAL No. 280

vs.

**CHARLES RICHARD TRINDER ,
Appellant**

ORDER DISMISSING APPEAL

Based upon Appellant's failure to prosecute this matter on a timely basis this court hereby dismisses the above entitled action and the lower courts decision is hereby affirmed.

On December 22, 1997 this court issued an Order Granting Appeal and in said Order required the Appellant to file a brief, memorandum, or statement of law, not to exceed five pages in length in support of his appeal with the clerk of court in the Fort Peck Tribal Court of Appeals on or before January 30, 1998. Further this court stated that counsel for Appellee should file a brief, memorandum, or statement of law not to exceed five pages in length in response to Appellant's brief on or before fifteen of Appellant's brief, memorandum, or statement of law. Further this court ordered that each shall have the right to stand on the lower court record without filing a brief and may do so by filing "A Notice of Intention to Do So" on or before the required due date of said briefs.

Upon review of the record this court finds no briefs or Notice of Intention to stand on the lower court record and therefore has decided to dismiss this action and let the lower court's decision stand.

Dated this 17th day of November, 1998.

FORT PECK COURT OF APPEALS:

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Gary M. Beaudry
Chief Justice

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