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

**DANIEL D. KOFFLER,
Plaintiff, Appellee**

vs.

APPEAL No. 255

**255 JAMES E. SHANLEY, NELSON HEART *
LESTER DALE DeCOSTEAU and * JOHN
DOES 1-10
Defendant/Appellant**

ORDER DISMISSING APPEAL

Upon Notice of Appeal filed by Daniel D. Koffler by and through his attorney Arnie Hove this court makes the following:

1. The lower court record contains an insufficient legal basis from which an appeal may be brought; there are no responsive briefs of record setting forth a legal theory guiding or directing the Court;
2. In the lower court records the Defendant's Motion to Dismiss is supported by a brief propounding a legal basis in support of its Motion to Dismiss.
3. Appellant brings a "Notice of Appeal" in lieu of a "Petition for Review" without a clearly supported legal basis.
4. Appellant's Notice of Appeal fails for lack of specificity.

NOWHEREFORE IT IS THE ORDER OF THIS COURT

The Notice of Appeal is denied

Dated this 26th day of November, 1996.

FORT PECK COURT OF APPEALS:

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GARY M. BEAUDRY
Chief Justice Justice
