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

In the Matter of the Custody of

M. S. B. (d.o.b. /00)

Appeal No. 398

A minor Indian child

ORDER DISMISSING PETITION FOR REVIEW

A **Petition for Review** having been filed on **January 29, 2002** by **Leighton E. Reum**, Tribal Lay Counselor, on behalf of **Felix Benally**, biological father of **M. S. B.**, an Indian minor child, from an **Order** issued by the Tribal Court on **January 9, 2002**, the **Honorable Juanita Azure**, presiding, and good cause appearing, the petition is dismissed for the reasons set forth below.

Immediately following the filing of this petition, a clerk in the Tribal Court inadvertently filed the petition in the Tribal Court file without notifying the Clerk of the Court of Appeals. The mistake was discovered when the attorney for the biological mother, **Mary L. Zemyan, Esq.**, filed a Motion to Dismiss on April 4, 2002. Attached to the Motion is a written stipulation signed by both the biological parents of **M.S.B.**, settling all of the differences that were previously in dispute and before this Court. The parties have requested that the Tribal Court incorporate their written stipulation into the Final Decree of Dissolution.

IT IS NOW THEREFOR THE ORDER OF THIS COURT:

That the Petition for Review herein, captioned as shown above, is dismissed and all Tribal Court orders heretofore stayed or not acted upon because of, or pursuant to, the pendency of this petition, are herewith restored and shall be given full force and effect without further delay.

Dated this 22nd day of April 2002.

FOR THE FORT PECK COURT OF APPEALS

BY _____

Gary P. Sullivan
Chief Justice
