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

**WESTERN NATIONAL BANK,
Plaintiff,**

-vs-

Appeal No. 041

**CARL M. PAYNE and MARGARET L.
PAYNE, Defendants.**

ORDER DISMISSING APPEAL

THIS COURT HAVING REVIEWED the file in this matter and determining that a Motion to Appeal was filed on June 10, 1987 on a judgment and writ of execution rendered May 26, 1987 pursuant to I CCOJ 206 and the same being permitted under I CCOJ 205(b) and properly before this Court, on August 28, 1987 this Court entered an ORDER GRANTING APPEAL AND SETTING A BRIEFING SCHEDULE AND DATE AND TIME FOR ORAL ARGUMENTS.

On September 3, 1987, Appellants moved to dismiss their appeal as they are intending to file bankruptcy and any relief granted by this court would, in practical circumstances, be of no value to Appellants upon filing bankruptcy.

GOOD CAUSE APPEARING THEREFORE, APELLANTS MOTION TO DISMISS APPEAL IS HEREBY GRANTED.

DATED this 31st day of August, 1987.

BY THE COURT OF APPEALS:

ARNIE A. HOVE, Chief Justice
