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

FORT PECK TRIBES
Appellee\Plaintiff ,

vs.

Appeal No. 152

C.F., born /74,
Juvenile Appellant\Defendant.

ORDER

THIS MATTER comes before the Appellate Court on a Notice of Appeal filed by Corwin Fourstar, by and through counsel Mary L. Zemyan, Wolf Point, Montana. The Appeal was from an Order of March 5, 1991, Honorable Leland Spotted Bird presiding, transferring the proceeding to adult court.

Appellant file his brief in support of Appeal; no brief was filed on behalf of Appellee Fort Peck Tribes; we took the matter under advisement on the basis of the brief submitted and assume that the arguments of Appellant are meritorious since no responsive brief was filed.

IT IS THEREFORE THE ORDER OF THE COURT AS FOLLOWS:

1. The requirement of oral argument (1 CCOJ 211) on criminal appeals is rendered moot by the absence of a responsive brief by Appellee, and therefore this order issues without oral argument. 1 CCOJ 202(c).
2. The Order authorizing transfer of the juvenile proceedings to adult court is reversed.

DATED this 10th day of June, 1992.

BY THE COURT OF APPEALS:

GERARD M. SCHUSTER, Chief Justice

GARY JAMES MELBOURNE, Associate Justice

DEBRA JOHNSON, Associate Justice
