

---

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

\*\*\*\*\*

DANA BUCKLES,  
Defendant/Appellant

vs  
FORT PECK ASSINIBOINE & SIOUX  
TRIBES,  
Complainant/Appellee .

**Appeal No. 166**

\*\*\*\*\*

**ORDER DENYING PETITION FOR REVIEW**

\*\*\*\*\*

**THIS MATTER** comes before the Appeals Court on a Petition for Review by Defendant/Appellant Dana Buckles on a denial of motion to suppress and other grounds.

The Court having considered the Petition for Review makes the following:

**FINDINGS OF FACT**

1. The Petition for Review states as reasons for the Appeal the following:

1. Discovery was not complied with by Prosecution as ordered.
2. Prosecution was granted extension based on alleged newly found evidence and caused undue delay.
3. Violations of 25 USC §1302.3; 6; 8.

2. The Court finds the motion and grounds therefore to be interlocutory in nature; that is they involve matters which intervene between the commencement and end of the case which decide some point or points or matter, but which do not decide the whole matter.

3. The Jurisdiction of the Court of Appeals is set forth follows:

Section 202: The jurisdiction of the Court of Appeals shall extend to all appeals from final orders and judgments of the Tribal Court.

From the foregoing Findings of Fact, the Court makes the followingr

**CONCLUSION OF LAW AND ORDER**

- 1. This Appeal involves interlocutory orders and judgments of the Fort Peck Tribal Court.
- 2. This Court lacks jurisdiction over the matter at this time.

**THEREFORE**, based on the foregoing Findings of Fact and Conclusion of Law, **IT IS HEREBY ORDERED** that the Petition for Review be and the same is hereby denied; ./the matter is remanded to the Tribal Court for a final determination.

**DATED** this 8th day of September, 1992.

**BY THE COURT OF APPEALS:**

\_\_\_\_\_  
Gerard M. Schuster, Chief Justice

\_\_\_\_\_  
Debra A. Johnson, Associate Justice

\_\_\_\_\_  
Florence Youpee, Associate Justice

\_\_\_\_\_