

LOWER BRULE SIOUX TRIBAL COURT) IN TRIBAL COURT
LOWER BRULE SIOUX RESERVATION) CIVIL DIVISION
LOWER BRULE SIOUX JURISDICTION) CIV-#14-12-0119

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Lower Brule Sioux Tribe, * Defendants' motion for dismissal with prejudice of this action
Plaintiff * CIV-#14-12-0119.
. vs. * Defendants make collateral attack upon the legality of this special
Kevin Wright[acting chairman] * tribal court's continued assumption of jurisdiction over them.
Sonny Ziegler and Desiree LaRoche *
Defendants *
Party of Intervenors *
Orville (Red) Langdeau *
John McCauley Sr. *

Comes now, filing Pro-Se is [acting chairman]Kevin Wright, Sonny Ziegler and Desiree LaRoche the above named defendants;who are duly elected (for term Sept 2014=Sept 2016) tribal council-members of the listed plaintiff Lower Brule Sioux Tribe.

Defendants make the following motion for dismissal with prejudice of this action CIV-#14-12-0119;

Defendants' first motion for dismissal with prejudice of this action Civ-#14-12-0119.

(1): Defendants make a collateral attack upon the legality of this special tribal court's continued assumption of jurisdiction over them while having full knowledge and notice; that the above tribal Defendants have filed their action of complaint and lawsuit civ15-4097 (*that contains their defenses and claims in tribal case civ14-12-0119*) in the federal district court on May 27th 2015 after exhausting their tribal court remedies. The Lower Brule Sioux Tribal Appellate Court's unsigned fax for remand is not sufficient and not adequate decision for their Writ of Mandamus and Interlocutory appeal.

(2) Defendants' second motion for dismissal with prejudice of this action Civ-#14-12-0119.

Defendants make another collateral attack upon the legality of this special tribal court's continued assumption of jurisdiction over them.

The assigned Special Judge B.J. Jones can dismiss TRIBE as Plaintiff for the benefit of remaining Intervenor Orville (Red) Langdeau and John McCauley Sr. but he cannot dismiss the defendants' argument that they are also TRIBE and therefore enjoy the TRIBE's sovereign immunity from any lawsuits filed in their own tribal court against them. The Defendants file this second motion for dismissal stipulating that the US Federal District Court may not decide their ex-parte motion for the federal court to order a stay of the Lower Brule Sioux special Tribal court's June 11th 2015 hearing. In which the special tribal judge still is assuming jurisdiction over the tribal defendants despite standard law that states no case can be heard in two different courts at the same time

(3) Defendants' third motion for dismissal with prejudice of this action Civ-#14-12-0119. Defendants make a collateral attack upon the legality of this special tribal court's continued assumption of jurisdiction over them. Arguing that the special judge B.J. Jones has never made known to them just who their opposing party opponent was. The defendants seen the original plaintiff in the first filing of this lawsuit Civ-#14-12-0119 was listed as TRIBE. And the Third Party of Intervenor were listed as then chairman Michael Jandreau, Orville (Red) Langdeau and John McCauley Sr. But no names was ever given or revealed to the defendants just who TRIBE as plaintiff was. Plaintiff TRIBE could not be any of the three following named persons of then chairman Michael Jandreau, Orville (Red) Langdeau and John McCauley Sr., as the lawsuit listed these three as third party intervenors. Was plaintiff TRIBE then the tribal attorney Tara Adamski who filed the lawsuit in the first place? This was the only name the defendants have ever seen. If it was the tribal attorney Tara Adamski she then engaged in several very serious violations of both tribal law as to her tribal contract in which she also provided legal representation to the defendants this is a conflict of interest. Also as to her licensing Board for a conflict of interest. Plus Tara Adamski is not a member of the Lower Brule Sioux TRIBE.

The Defendants file this second motion for dismissal stipulating that the US Federal District Court may not decide their ex-parte motion for the federal court to order a stay of the Lower Brule Sioux

special Tribal court's June 11th 2015 hearing.

(4) Defendants fourth motion for dismissal with prejudice of this action Civ-#14-12-0119.

Defendants make a collateral attack upon the legality of this special tribal court's continued assumption of jurisdiction over them. Arguing that as to the special judge's judgment and order of Feb 13th 2015 in his order number two of his judgment he gave the parties until Feb 27th 2015 to provided him with documentation on how this lawsuit can be brought in tribal court. This burden of proof was squarely on the plaintiff who ever it was? As the opposing party called Plaintiff "TRIBE" were bringing the lawsuit not the defendants. And also this burden of proof was upon the third party intervenors of then chairman Michael Jandreau, Orville (Red) Langdeau and John McCauley Sr., as the records shows that they might have intervened on the side of Plaintiff TRIBE's lawsuit. The plaintiffs never complied with this order; neither did the third party intervenors so by the special judge's own ruling this case/lawsuit must be dismissed with prejudice. The Defendants file this second motion for dismissal stipulating that the US Federal District Court may not decide their ex-parte motion for the federal court to order a stay of the Lower Brule Sioux special Tribal court's June 11th 2015 hearing.

Date: June 8 2015

Signature of listed defendant [s] 1. Keven Wright Proceeding Pro-Se. Keven Wright

PO Box 57 Lower Brule SD 57548

Signature of listed defendant [s] 2..Sonny Ziegler Proceeding Pro-Se. Sonny Ziegler

PO Box 295 Lower Brule SD 57548

Signature of listed defendant [s] 3. Desiree LaRoche Proceeding Pro-Se. Desiree LaRoche

PO Box 448 Lower Brule SD 57548

Kevin Wright CERTIFICATE OF SERVICE

I, Desiree LaRoche
Sonny Ziegler one of the listed defendants in the action of amended lawsuit entitled CIV-#14-12-0119 in Lower Brule Sioux Tribal Court Civil Division ; hereby certify on this date listed below that I have caused to be served the “ document called the (Keven Wright, Sonny Ziegler and Desiree LaRoche) Defendants' motion for dismissal with prejudice of this action CIV-#14-12-0119” upon the following persons listed below; I have made personal service upon Lower Brule Sioux Tribal Court Clerk at the tribal court house located in Lower Brule SD. Time 3:55 PM and date of June 8th 2015: the Lower Brule clerk of court is mandated to make service then upon the listed plaintiffs, However I, as a defendant just to be safe in addition to service upon the clerk of court; will also make service by first class mail to the Plaintiff's Attorney Terry Pechota at his below listed business address on the date of June 8th 2015!

Date: June 8th 2015

Signature of listed defendant [s] 1. Keven Wright Proceeding Pro-Se. Kevin Wright

PO Box 57 Lower Brule SD 57548

Signature of listed defendant [s] . 2 Sonny Ziegler Proceeding Pro-Se. Sonny Ziegler

PO Box 285 Lower Brule SD 57548

Signature of listed defendant [s] 3. Desiree LaRoche Proceeding Pro-Se.. Desiree LaRoche

PO Box 448 Lower Brule SD 57548

[i] Lower Brule Sioux Tribal Court Clerk Mandy Thompson at the tribal court house located in Lower Brule SD. [method personal service]

[ii] Tribal Attorney Terry Pechota [method of service by 1st class mail] _____
1617 Sheridan Lake Road Rapid City SD 57702