

LOWER BRULE SIOUX TRIBAL COURT	)	
LOWER BRULE SIOUX TRIBE	)	ss: LOWER BRULE SIOUX TRIBAL
CIVIL JURISDICTION	)	TRIBAL COURT AND IN THE
LOWER BRULE SIOUX TRIBE	)	COURT OF APPEALS
<hr/>		
ORVILLE LANDEAU, JR. and JOHN	)	CASE NO. CIV-15-9-0111
MCCAULEY,	)	CASE NO. CIV-14-12-0119
	)	
Plaintiffs/Appellees, v.	)	MOTION FOR LEAVE TO
	)	WITHDRAW AS COUNSEL
KEVIN WRIGHT, SONNY ZIEGLER,	)	FOR CAUSE SHOWN AND
AND DESIREE LAROCHE,	)	MOTION
	)	
Defendants/Appellants.	)	
<hr/>		

COMES NOW, Steven C. Emery, the undersigned attorney and simultaneously moves in this Court and in the Court of Appeals for orders granting him leave to withdraw as counsel in CASE NO. CIV-14-12-0119 and CASE NO. CIV-15-9-0111. The said simultaneous Motions request that, effective immediately, Emery is granted leave of the Courts to withdraw from representation of Desiree LaRoche, Kevin Wright and Sonny Ziegler and Lewis Grass Rope.

Emery has repeatedly requested his said former clients, Ms. LaRoche, Mr. Wright, Mr. Ziegler and Mr. Grass Rope's assistance in obtaining the Court records in the ongoing appeal in CIV. # 14-12-0119 and in the temporary restraining order/pending preliminary injunction case CIV. #15-9-0111, the undersigned attorney has never had all of the documents in those cases.

Attorney Emery needed a transcript of every hearing—he is now informed by Clerk Langdeau that the cost is \$100.00 per recording<sup>1</sup>. The said former clients have not assisted Emery in obtaining all the documents in both cases that they have received through service of process, save for the requested hearing recordings/transcripts. Emery's former clients have not communicated with him regularly and are not communicating or cooperating with him.

---

<sup>1</sup> The Clerk informed counsel yesterday that a recording of a hearing costs \$100.00. No fee schedule was provided when Clerk mailed Certificate of Admission. Nothing besides the Certificate of Admission was received from the Clerk other than emailed orders.

Emery requires and is entitled to leave to withdraw from representation as he cannot force Kevin Wright, Desiree LaRoche, Lewis Grass Rope or Sonny Ziegler to communicate or cooperate with him, *e.g.*, by not obtaining requisite documents as requested and failing to communicate with him.

Wherefore, Emery simultaneously asks the Tribal Court to issue an order in CIV.#15-9-0111 granting him leave to withdraw as counsel for Kevin Wright, Desiree LaRoche, Lewis Grass Rope and Sonny Ziegler, effective immediately. Emery swears under penalty of perjury that he has notified each of the foregoing individuals named in this motion, via electronic mail that Emery no longer represents them and he has moved the Court for leave to withdraw from representation.

Mr. Emery has advised his said former clients to seek stays in both cases while they find new representation. However, Mr. Emery respectfully requests that the Tribal Court also grant a stay in CIV.#15-9-0111 to avoid prejudice to his said former clients' rights while Ms. LaRoche and Messrs. Wright, Grass Rope and Ziegler obtain new representation.

Similarly, for the foregoing reasons, Emery respectfully requests that in CIV.#14-12-0119 the Lower Brule Sioux Court of Appeals issue an order granting him leave to withdraw as counsel for Kevin Wright, Desiree LaRoche, Lewis Grass Rope and Sonny Ziegler, effective immediately. Emery swears under penalty of perjury that he has notified each of the foregoing individuals named in this motion, via electronic mail that his representation ends, effective immediately. Thus, they have been notified that Emery no longer represents them and has moved the Court for leave to withdraw from representation. Mr. Emery respectfully requests

that the Court of Appeals also grant Ms. LaRoche and Messrs. Wright and Ziegler a stay in CIV.#14-12-0119 to avoid prejudice to their rights while they obtain new representation.

Dated this 16th day of October, 2015.

By: *Steven C. Emery*  
Steven C. Emery  
SD Bar #466  
Attorney for Defendants  
Emery Law Firm, PLLC  
2419 Sheridan Lake Road  
Rapid City, SD 57702  
Phone (605)200-0627  
Email: [steve\\_emery1989@hotmail.com](mailto:steve_emery1989@hotmail.com)

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on October 16, 2015 I caused to be mailed a true and correct copy of the foregoing Motion for Leave to Withdraw for Cause, together with the Exhibits thereto, if any, to the individuals and/or entities listed below, via United States Mail, certified, return receipt requested, postage prepaid and *via* email to:

**Lower Brule Sioux Tribal Court**  
Attn: Marlys Langdeau, Court Administrator  
P.O. Box 122  
Lower Brule, SD 57548-0122  
Phone: 605-473-5528

Via Email: [marlys.langdeau@lowerbrule.net](mailto:marlys.langdeau@lowerbrule.net)


~~No due to Stann~~

**Hon. Judge B.J. Jones**

Email: [hon.bj.jones@gmail.com](mailto:hon.bj.jones@gmail.com)

**Terry Pechota**

Attorney for Plaintiffs/Appellants  
1617 Sheridan Lake Rd  
Rapid City, SD 57702  
Email: [tpechota@1868treaty.com](mailto:tpechota@1868treaty.com)

By:   
Steven C. Emery  
SD Bar #466  
Attorney for Defendants  
Emery Law Firm, PLLC  
2419 Sheridan Lake Road  
Rapid City, SD 57702  
Phone (605)200-0627  
Email: [steve\\_emery1989@hotmail.com](mailto:steve_emery1989@hotmail.com)

**Formatted:** Font: (Default) Times New Roman, 12 pt, No underline, Font color: Auto

**Field Code Changed**

**Formatted:** Font: (Default) Times New Roman, 12 pt, Bold, No underline, Font color: Auto

**Formatted:** Font: Times New Roman, 12 pt, Bold

**Formatted:** Font: Times New Roman, 12 pt, No underline, Font color: Auto

**Field Code Changed**

**Formatted:** Font: Times New Roman, 12 pt, No underline, Font color: Auto

**Formatted:** Font: Times New Roman, 12 pt, No underline, Font color: Auto

**Formatted:** Font: Times New Roman, 12 pt, Bold, No underline, Font color: Auto

**Formatted:** Font: Times New Roman, 12 pt, Bold