

**FORT PECK COURT OF APPEALS  
ASSINIBOINE & SIOUX TRIBES  
WOLF POINT/POPLAR, MONTANA**

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TODD BAUER and PATTY BAUER,	)	
	)	
Appellants,	)	Cause No. <u>481</u>
	)	
-vs-	)	
	)	<b>ORDER DENYING PETITION</b>
FORT PECK HOUSING AUTHORITY,	)	<b>FOR REVIEW</b>
	)	
Appellee.	)	

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A Petition for Review and Motion for Stay having been filed herein on July 2, 2007, by Clayton Reum, counsel; and the Court having reviewed the Notice, and the file therein, now makes the following findings:

1. An **Order and Judgment** was entered by the Court on October 25, 2006, based on a Stipulation of Judgment between the parties.
2. An Affidavit of Default of Appellants on the stipulated judgment was entered and filed herein on May 31, 2007. Said Affidavit sets forth material facts which are generally not contested by Appellants in their Petition for Review.
3. An Order of Eviction was made and entered on June 1, 2007 and filed of record on June 4, 2007 and served on Appellants on June 27, 2007.
4. This Court finds nothing in the Court file which gives cause for review, as the operative facts are not disputed. Further, counsel's issues raised in the Petition for Review are irrelevant to the application of the law in this case.

5. The Fort Peck Court of Appeals shall not set aside any factual determinations of the Tribal Court if such determinations are supported by substantial evidence. II CCOJ §202.

**BASED UPON THE FOREGOING FINDINGS AND GOOD CAUSE APPEARING:**

**IT IS NOW, THEREFORE, THE ORDER OF THIS COURT THAT:**

1. The Petition for Review and Motion for Stay be, and the same is hereby denied.

DATED this 28 day of April, 2008.

**FORT PECK COURT OF APPEALS**

By: Brenda C Desmond  
**BRENDA DESMOND, Chief Justice**

Joe Raffiani  
**JOE RAFFIANI, Associate Justice**

Gerard M. Schuster  
**GERARD M. SCHUSTER, Associate Justice**

Attest  
Dana Rhee  
5-1-2008