

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

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IN THE MATTER OF,	)	
	)	Cause No. <u>483</u>
M.E. Jr., d.o.b.: 09/28/04	)	
and	)	
R.E., d.o.b.: 10-31-05	)	
	)	<b>OPINION DENYING REVIEW</b>
Minor Indian Children	)	
	)	

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Dan and Sheryl Kohl , the former foster parents of M.E., Jr. and R.E., filed a Petition to Review the custody and placement Order of July 17, 2007.

The children were removed from their parents on November 29, 2005 on an emergency petition filed under the Fort Peck Tribes Comprehensive Code of Justice, (“CCOJ”), Title IX, Chapter 5, §501. At that time the children were ages one year, (M.E.), and one month (R.E.). The children were placed in foster care with the Kohls. In May 2006, the children’s mother moved to transfer custody of the children to their paternal uncle Douglas Wilkinson in South Dakota. In April 2007, Mr. Wilkinson and his wife filed a Petition for permanent legal custody. The Petition was supported by CFS and the Tribal Prosecutor’s Office. On July 17, 2007 the Tribal Trial Court entered an Order granting permanent legal custody to the Wilkinsons. The Kohls filed a Petition for Review on August 14, 2007.

CCOJ Title II Chapter 2, §207, requires a Petition for Review to be filed within 15 days of the Order appealed from. The Petition for Review in this matter was

filed twenty days after the Order appealed from. Section 207 does not permit extensions of the time to file a Petition for Review.

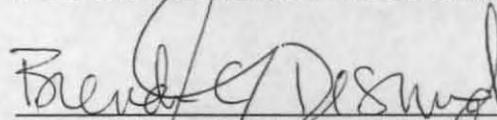
**IT IS NOW, THEREFORE, THE ORDER OF THIS COURT THAT:**

The Petition for Review is denied.

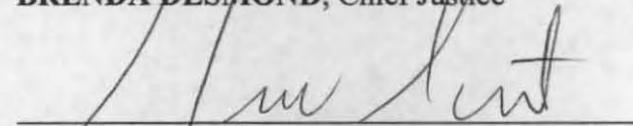
**DATED** this 23 day of June, 2008.

**FORT PECK COURT OF APPEALS**

By:



**BRENDA DESMOND**, Chief Justice



**GERARD M. SCHUSTER**, Associate Justice