

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

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DENVER ATKINSON, SR. and	)	
ROSE ATKINSON,	)	
	)	
Plaintiffs/Appellees,	)	Cause No. <u>499</u>
	)	
-vs-	)	
	)	<b>OPINION AND ORDER</b>
ROBERTA BOYD,	)	
	)	
Defendant/Appellant.	)	

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**Appearances:**

Mr. Loren O'Toole II, Esq., Plentywood, MT, on behalf of  
 Plaintiffs/Appellees

Mr. Thomas E. Towe, Billings MT, on behalf of Defendant/Appellant.

This matter comes before the Fort Peck Court of Appeals on a Petition for Review filed March 12, 2008 of a February 11, 2008 Tribal Trial Court Order. Upon review of the Petition and the file, this Court finds the Petition for review was not timely filed as required by Fort Peck Tribes Comprehensive Code of Justice ("CCOJ"), Title II Section 207 (a).

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

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

**DATED** this 6<sup>th</sup> April day of February 2009.

**FORT PECK COURT OF APPEALS**

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

Joe Raffeiani  
**JOE RAFFIANI**, Associate Justice

**Associate Justice GERARD M.  
SCHUSTER, Recused**