

STATE OF MICHIGAN
DISTRICT COURT FOR THE 94th JUDICIAL DISTRICT
DELTA COUNTY

STATE OF MICHIGAN,
Plaintiff,

v

JOHN HALVERSON,
Defendant,

CASE NO: 10-738-SM

TROY JENSEN,
Defendant,

CASE NO: 10-737-SM

WADE JENSEN,
Defendant.

CASE NO: 10-736-SM

DELTA COUNTY PROSECUTOR'S OFFICE

310 Ludington Ave.

Escanaba, MI 49829

906/789-5115

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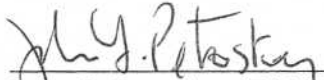
Attorney for Defendants Troy Jensen

**DEFENDANT'S MOTION TO DISMISS BASED ON EXCLUSIVE
JURISDICTION OF THE SAULT STE. MARIE TRIBE OF CHIPPEWA
INDIANS**

COMES NOW Wade W. Jensen, by and through his attorney, John F. Petoskey, Fredericks Peebles & Morgan LLP, and requests this Court to dismiss the charge of conspiracy to violate MCL 750.157a based upon the lack of subject matter jurisdiction in this court. Wade Jensen alleges that the Sault Ste. Marie Tribe has exclusive jurisdiction in this matter under the Consent Decree entered in *U.S. v. Michigan*. Alternatively, Mr. Jensen alleges that this Court does not have subject matter jurisdiction because it cannot

incorporate by reference Sault Ste. Marie tribal law as an element of the conspiracy charge.

RESPECTFULLY SUBMITTED,



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