

IN THE NOOKSACK TRIBAL COURT
FOR THE NOOKSACK INDIAN TRIBE
DEMING, WASHINGTON

Case No. 2013-CI-CL-003

ROBERTS, ET. AL
Plaintiffs

**ORDER DENYING MOTION FOR ORDER
TO SHOW CAUSE RE: CONTEMPT**

vs.

ROBERT KELLY, ET. AL.
Defendants.


THIS COURT has received a *Motion for Order to Show Cause Re: Contempt* from the Plaintiffs on September 19, 2013. The Plaintiffs motion the Court for a hearing to address whether the Defendants should be held in contempt for allegedly violating this Court's *Order From Scheduling Hearing the Lomeli v. Kelly* matter, 2013-CI-CL-001. The Plaintiffs argue that this motion may be heard under the current matter, *Roberts v. Kelly*, 2013-CI-CL-003, arguing that the terms of the *Stipulation* in the *Lomeli* matter must be enforced by this Court in the *Roberts* case.

While this case has become extremely complex procedurally, this Court sees no means by which it would enforce a *Stipulation* from another case in this one, particularly when the *Lomeli* matter is under appeal. The Nooksack Court of Appeals has directed this Court to issue "findings of fact and conclusions of law as to the effect of the May 20 stipulation." *Order Extending Stay*, 2013-CI-APL-002. (The Court believes the Court of Appeals' date of May 20th is in error and should read March 20th, as the body of that order uses that date repeatedly and that date reflects the only *Stipulation* in that case.) Thus, the "effect" of the March 20th stipulation is under direct

1 consideration by this Court with an Order forthcoming. To rule on the meaning of that Stipulation
2 prior to issuing the Findings of Fact and Conclusions of Law makes an already complex case more
3 so. Further, the Court finds that the *Motion for Order to Show Cause Re: Contempt* arises from the
4 *Lomeli* case and the *Motion* should be filed under the appropriate caption.

5 **IT IS SO ORDERED.**

6
7 **DATED** this 20 day of SEPT, 20B.

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9 
10 Raquel Montoya-Lewis
11 Chief Judge, Nooksack Tribal Court