

SUPREME COURT  
OF THE  
ROSEBUD SIOUX TRIBE



Rosebud Sioux Tribe Plaintiff/Appellee,  v.  BBC Enterprise, et el. Defendant/Appellant.	CA 12-06  MEMORNADUM OPINION AND ORDER
--	---

Per Curiam (Associate Justices Charles Abourezk, Frank Pommersheim and Pat Donovan).

This matter came before the Court on Appellant's Motion to Void Order Regarding Motion for Summary Judgment Entered on April 19, 2012 and Reinstate Appeal and Appellee's Response in Opposition.

A short recitation of the procedural history of this appeal is in order. This court dismissed the appeal in this matter from a summary judgment order piercing the corporate veil of Appellant for failure to file a Statement of Financial Responsibility by a deadline imposed by the Court. All pending motions have been disposed of in this case. Therefore there is no pending appeal in this matter.

Appellant brings this motion pursuant to Rule 11 of the Rules of Procedure Supreme Court of the Rosebud Sioux Tribe. Rule 11 allows for motions to this Court in pending appeals. The appeal at hand has been dismissed and this Court does not possess the jurisdiction to hear the motion. Even if an appeal was pending, this Court does not possess original jurisdiction to hear a Rule 60(b) Motion in the first instance.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Appellant's Motion to Void Order Regarding Motion for Summary Judgment Entered on April 19, 2012 is dismissed.

Dated this 3<sup>rd</sup> day of January, 2013.

BY THE COURT:

/s/Frank Pommersheim  
Frank Pommersheim  
Associate Justice

/s/Charles Abourezk  
Charles Abourezk  
Associate Justice

/s/Pat Donovan  
Pat Donovan  
Associate Justice