

**FILED**  
IN THE HO-CHUNK NATION  
SUPREME COURT

JUL 27 2001

*J. Pettibone*  
Clerk of Court/Assistant

IN THE  
HO-CHUNK NATION SUPREME COURT

Leslie J. Schmolke,  
Appellee,

ORDER DENYING MOTION TO  
EXTEND TIME  
Case No. SU01-08

vs.

Ho-Chunk Casino, Ho-Chunk Nation  
Business Department,  
Appellants.

This matter involves the Order entered on July 3, 2001 by the Honorable Mark Butterfield. The Appellants filed a Motion to Extend Time for Filing Notice of Appeal and a Notice of Substitution of Counsel on July 13, 2001<sup>1</sup>. The deadline for filing a Notice of Appeal would have been on August 2, 2001. The Appellants' Brief would have been due on August 13, 2001.

Appellants base their request for more time to file on Exhibits A, B and C to establish that they were unable to have the trial court CDs transcribed. Yet, Exhibits B and C refer to another case entirely and are not indicative of the present matter. Exhibit B indicates that the staff person from the Department of Justice did not have time to transcribe the CDs. It would seem that the capability of transcribing the CD is available for DOJ staff if time is allowed. That is the responsibility of the appellants. In this situation, the appellants have not made an effort to transcribe the CDs within their own

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<sup>1</sup> In order for an attorney to practice in the Ho-Chunk Nation Courts, one must be admitted to practice in the courts in accordance to the Rules for Admission to Practice. Upon review of the Notice of Substitution of Counsel, this Court is not aware that Wendi Huling is a Licensed Attorney admitted to practice in the Ho-Chunk Courts.

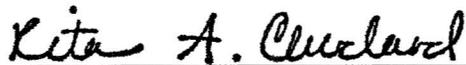
department. Rather, the claim is that an outside agency is unable to transcribe the CDs due to licensing restrictions.

Appellants also use this opportunity to request a stay in the accrual of interest on the Judgment should they be allowed more time to file their appeal. The delay is caused by the appellants' reluctance to designate staff to work to transcribe the CDs. This Court does not consider this adequate reason to extend the filing time.

Since transcribed records are usually used for brief preparation, the appellants could proceed with transcribing within their own office. When the date is closer to the brief due date of August 13, the appellants could seek more time for the brief pursuant to Rule 11 of the HCN Rules of Appellate Procedure. Thus, there are other avenues to preserve this appeal short of delaying the process by another sixty (60) days and staying the accrual of interest on the judgment.

The Motion to Extend Time for Filing Notice of Appeal, as well as the request to stay the accrual of interest on the judgment is hereby **DENIED**.

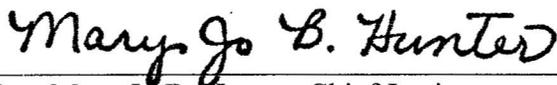
EGI HESKEKJET. DATED THIS 27<sup>TH</sup> DAY OF JULY 2001.



Hon. Rita A. Cleveland, Associate Justice



Hon. Debra C. Greengrass, Associate Justice



Hon. Mary Jo B. Hunter, Chief Justice  
Ho-Chunk Nation Supreme Court

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CERTIFICATE OF SERVICE

I, Tari Pettibone, Clerk of the Ho-Chunk Nation Supreme Court, do hereby certify that on the date set forth below I served a true and correct copy of the Order Denying Motion to Extend Time file in Case No. SU 01-08 By the United States Postal Service, upon all person listed below:

Mr. Mark L. Goodman  
Attorney at Law  
132 North Water Street  
P.O. Box 420  
Sparta, WI 54656

Mr. Michael P. Murphy  
Department of Justice  
P.O. Box 667  
Black River Falls, WI 54615

Hon. Debra Greengrass  
6200 West Locust Street  
Milwaukee, WI 53210

Hon. Mary Jo Brooks Hunter  
4 Linder Court N.  
St. Paul, MN 55106

Hon. Rita Cleveland  
367 River Street  
Black River Falls, WI 54615

Date: July 27, 2001

*Tari Pettibone*  
Tari Pettibone, Clerk of Court  
Ho-Chunk Nation Supreme Court