

FILED
IN THE HO-CHUNK NATION
TRIAL/SUPREME COURT

AUG 18 2000
L. Swalla
Clerk of Court/Assistant

IN THE
HO-CHUNK NATION SUPREME COURT

HCN Dept. of Housing,
Property Management Division,
Appellee,

vs

DENIAL OF APPEAL REQUEST
Case No. SU00-11

Charles C. Brown and
Simone I. Brown,
Appellants.

This matter came before the full Court on Saturday, August 5, 2000 to determine whether or not an appeal request would be granted. On August 4, 2000, Charles and Simone Brown filed a Notice of Appeal which was dated July 18, 2000.¹ The Appellants were appealing the Judgment filed on June 23, 2000 issued by the Honorable Mark Butterfield. The issue involved a housing matter in which Mr. and Mrs. Brown were ordered to pay \$4,914.00 for unpaid rent. The Appellee, HCN Dept. of Housing, did not file any pleadings in response to the Notice of Appeal. Upon review of the Notice of Appeal, this Court is unable to accept this matter for appellate review.

The HCN Rules of Appellate Procedure, Rule 10 (a) requires that "[A] written Notice of Appeal from a decision of the Trial Court must be filed with Clerk of Court within thirty (30) calendar days of the date of the final judgment or order." The HCN Trial Court Judgment was filed on June 23, 2000. Thirty calendar days would require that the Notice of Appeal was due for filing on July 24, 2000. Appellants, Mr. and Mrs. Brown, filed their Notice of Appeal on August 4, 2000 which is beyond the thirty day requirement. Therefore, the Notice of Appeal must be denied for filing untimely.

¹ The Appellants did not offer any explanation for the delay in filing their notice which had been dated approximately two weeks earlier.

This Court is aware that *pro se* parties may not understand filing deadlines. However, the Judgment of the Trial Court did indicate the thirty day filing rule. In addition, the HCN Supreme Court Clerk is available for providing parties information as to filing deadlines.

Based upon the foregoing, this appeal request is DENIED.

EGE HESKEKJET. Dated this 18 day of August 2000.

Rita A. Cleveland

Hon. Rita A. Cleveland, Associate Justice

Debra C. Greengrass

Hon. Debra C. Greengrass, Associate Justice

Mary Jo B. Hunter

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

CERTIFICATE OF SERVICE

I, Lori Swallow, 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 attached paper filed in Case No. SU-00-11 (CV 99-100), by the United States Postal Service, upon all persons listed below:

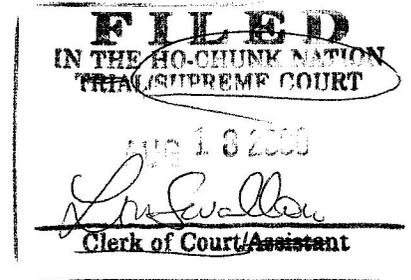
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Date: 8/18/00



Lori Swallow, Clerk of Court
Ho-Chunk Nation Supreme Court