

OCT 19 1999

Willow RedCloud
Clerk of Court/Assistant

IN THE
HO-CHUNK NATION SUPREME COURT

Ho-Chunk Nation Department of Education,
Appellee,

vs.

ORDER DENYING
APPEAL
Case No. SU99-11

Joanne LaMere, Appellant, and Nellie McKee
and Pearl LightStorming.

Heard before Associate Justices Greengrass and Cleveland and Chief Justice Hunter.

This matter came before the full Court on Monday, October 18, 1999 by telephone hearing. The Court reviewed the Notice of Appeal filed on October 8, 1999 by Joanne LaMere. Nellie McKee and Pearl LightStorming did not file appeals. On October 12, 1999, John S. Swimmer, Tribal Attorney, filed Appellant's (sic) Notice and Motion Opposing Appeal on behalf of the HCN Education Department which asserted that the Appellant, Joanne LaMere, failed to state a reason or grounds for the appeal pursuant to HCN R. App. P. 10 (b).

Rule 10 (b) states that "the party filing the appeal must file a short statement of the reason or grounds for the appeal." Based upon the Supreme Court file, the Clerk of Court explained to Ms. LaMere on October 8 that she needed to submit such a statement within ten days. Ms. LaMere had indicated that she had an attorney who would be preparing that information. To date, the statement of the reason or grounds for the appeal has not been filed with the Clerk of Court for the Supreme Court.

Since the Notice of Appeal does not comply with the Ho-Chunk Nation Rules of Appellate Procedure and the other party has stated an objection, this Court must deny the appeal. The requirement is important in that it notifies both the other party and this Court as to *why* an appeal is necessary. Without the statement, this Court is unable to determine if there is an appealable issue before the Court. The importance of complying with the rules must be recognized as failure to do so prevents the matter from being addressed. Although Ms. LaMere filed her Notice of Appeal *pro se*, the Supreme Court's Clerk of Court did inform her of the

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deficiency in her Notice of Appeal. For reasons unknown to this Court, Ms. LaMere chose not to correct the deficiency.

Based upon the foregoing, the Notice of Appeal is DENIED.

IT IS SO ORDERED. EGI HESHKEKJET.

Dated this 19th day of October 1999.

Per Curiam.

Mary Jo B. Hunter

Mary Jo B. Hunter, Chief Justice
HCN Supreme Court

CERTIFICATE OF SERVICE

I, Willa RedCloud, Clerk of the Ho-Chunk Nation Supreme Court of the Ho-Chunk Nation, 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-99-11 (CV-99-30), by the United States Postal Service, upon all persons listed below:

JoAnne LaMere
P.O. Box 527
Lake Delton, WI 53940-0527

Nellie McKee
P.O. Box 654
Lake Delton, WI 53940-0654

Pearl LightStorming
P.O. Box 692
Lake Delton, WI 53940

John Swimmer
HCN Dept. 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
Saint Paul, MN 55106

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

Indian Law Reporter
319 McArthur Blvd.
Oakland, CA 94610

Date: 10/19/99

Willa RedCloud
Willa RedCloud, Clerk of Court
Ho-Chunk Nation Supreme Court