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6 **IN THE HUALAPAI NATION COURT OF APPEALS**
7 **HUALAPAI RESERVATION, ARIZONA**

8 HUALAPAI TRIBE,

9 Appellee,

10 v.

11 BRIAN SUMINIMO,

12 Appellant.

) App. Court Case No.: 2012-AP-005
) Trial Court Case No.: 2011-CR-432
)

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14 **ORDER DENYING APPELLANT'S**
15 **MOTION**
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18 Appellant Brian Suminimo filed a motion with this court on or about June 4, 2012 asking
19 this Court to strike the brief filed by the Hualapai Tribe and to grant the relief requested by
20 Appellant in his notice of appeal. The basis for the motion was the Tribe missing the deadline
21 set by this Court for the Tribe to file its appeal brief. This Court entered a scheduling order for
22 this appeal on April 18, 2012 that required the Tribe to file its brief on or before May 25, 2012.
23 The Tribe actually filed its brief on May 29, 2012.

24 This Court will not strike the Tribe's brief as Appellant has not shown that he was
25 substantially harmed by the Tribe filing the brief four days late. Appellant had sufficient time
26 after the Tribe filed its brief to file a reply brief and to prepare for oral argument. However the
27 Tribe must recognize that it is required to follow the Court's rules and orders regarding appeals.
28 For this reason, the Tribe will not be allowed to present arguments at the hearing in this case on
June 15, 2012, except for direct questions from the Justices. If a deadline cannot be met, the
party must file for an extension and obtain the Court's approval of any new timeline. Any party
failing to meet such deadlines will face sanctions from the Court.

IT IS SO ORDERED


WES WILLIAMS JR.

CHIEF JUSTICE OF THE
HUALAPAI COURT OF APPEALS

Dated: June 12, 2012.