

QUINAULT TRIBAL COURT
2014 DEC 22 AM 8:40

IN THE COURT OF APPEALS
OF THE
QUINAULT INDIAN NATION

TIMOTHY C. REED)	
)	
Appellant,)	Case No. AP14-002
)	
v.)	ORDER DENYING APPELLANT'S MOTION
)	FOR ADDITIONAL BRIEFING TIME AND
QUINAULT INDIAN NATION)	GRANTING THE NATION'S MOTION TO
)	DISMISS APPEAL WITH PREJUDICE
Respondent.)	
)	
)	
)	
)	
)	

This matter comes before the Quinault Tribal Court of Appeals pursuant to the Appellant's Motion for Additional Briefing Time and the Quinault Indian Nation's ("Nation") Motion to Dismiss Appeal with Prejudice.

The Notice of Appeal in this matter was filed on September 22, 2014. QTC 31.11.010(a) contains a timeline of actions necessary to pursue an appeal. Among these is the requirement that a brief in support of the appeal, or a statement indicating that no such brief will be forthcoming, must be filed within 30 days of the filing of the Notice of Appeal. In this case, Appellant did not take either action. Instead, on November 25, 2014, more than 60 days after filing the Notice of Appeal, Appellant moved for additional briefing time in the body of Appellant's Response to the Nation's Motion to Dismiss (examined below). The request did not specify a period of time and justified it on the need to acquire the trial record.

Approximately two weeks before the Appellant requested additional briefing time, the Nation filed a Motion to Dismiss Appeal with Prejudice. The Nation argues that the Appellant failed to file proof of service that the Notice of Appeal was served on the Nation within ten days of entry of the final order being appealed, as required by QTC 31.09.010(b) and QTC 31.09.010(e). Additionally, the Nation contends that the Appellant abandoned the appeal by failing to timely file a written brief in support of the appeal, or filing a written notice that no written brief would be submitted.

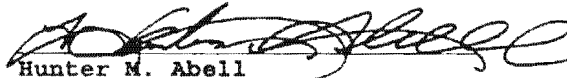
Being aware of the foregoing facts and law, IT IS ORDERED:

1. Appellant's Motion for Additional Briefing Time is DENIED. QTC 31.11.010(a) is clear. The Appellant failed to either file a brief or a notice that no brief would be filed within 30 days. Moreover, the request filed on November 25, 2014 for additional briefing time is more than 60 days after the date of initial filing. As such, the request is untimely.

2. Respondent's Motion to Dismiss Appeal with Prejudice is GRANTED. Appellant failed to comply with the procedural and timeliness requirements of QTC 31.11.010(a) necessary to pursue an appeal.

3. The Appellant's appeal is DISMISSED WITH PREJUDICE.

DATED THIS 21st DAY OF DECEMBER 2014.


Hunter M. Abell
Presiding Judge