

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION
MUSCOGEE (CREEK) NATION
SUPREME COURT
FILED

HENRY HARJO, DEAN HUGHES,)
BRETT THOMAS, and RONNIE WEST,)
))
Petitioners,)
))
v.)
))
PATRICK E. MOORE, District Judge)
and A.D. ELLIS, in his official capacity)
as Principal Chief of the Muscogee)
(Creek) Nation,)
))
Respondents.)

2012 APR 4 AM 11 10

CONNIE DEARMAN
DEPUTY COURT CLERK



Case No. **SC-10-02**
(District Court No. CV 2010-51)
(District Court No. CV 2010-46)

ORDER

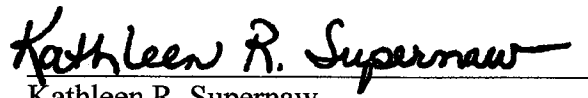
Before: SUPERNAW, *C.J.*; DEER, *V.C.J.*; and CHAUDHURI, HARJO-WARE, ADAMS and LERBLANCE, *JJ.*

Respondent’s original filing in this matter, *Application to Assume Original Jurisdiction, Petition for Writ of Prohibition and Application for Appointment of Special Judge*, sought relief from a temporary restraining order issued by the District Court which barred, restrained and prohibited Appellants from “interfering with [Respondent-Ellis] and his agents, employees and delegates in execution and actions authorized by Executive Order No. 10-06 . . . [,] meeting, taking action, attempting to encumber or expend funds, or representing themselves as the Board of the Tribal Trade and Commerce Authority . . . [,] [and from] communicating or otherwise interfering with the employees of the Tribal Trade and Commerce Authority.” No such relief was granted by this Court. Subsequent to the above captioned matter, after the District Court granted permanent injunction in favor of Respondent-Ellis, Petitioners sought final order appeal in SC 10-04, *Harjo, Hughes, Thomas and West v. Ellis*. In SC 10-04, Petitioners-Appellants

ultimately moved for voluntary dismissal, which this Court granted without prejudice on October 26, 2011. By seeking and receiving voluntary dismissal of SC 10-04, Petitioners-Appellees necessarily rendered SC 10-02 moot.

IT IS HEREBY ORDERED that the above-captioned matter is unanimously **DISMISSED** as moot.

DELIVERED AND FILED: April 4, 2012.


Kathleen R. Supernaw
Chief Justice

CERTIFICATE OF MAILING/DELIVERY

I, Connie Dearman, Supreme Court Deputy Clerk for the Muscogee (Creek) Nation, do hereby certify that on this 4th day of April, 2012, I faxed and mailed a true and correct copy of the foregoing Supreme Court's **Order** with proper postage prepaid to the following:

Roger Wiley
Attorney General
Muscogee (Creek) Nation
Department of Justice
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Okmulgee, OK 74447
Fax: 918-756-2445


Connie Dearman, Deputy Court Clerk