

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

SEP 02 2010

In the Matter of the Extended Term )  
of Office of District Court Judge )  
Patrick Moore )

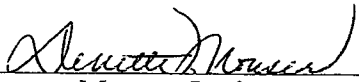
Case No. SC-2009-015 )  
CONNIE QUAMER, DEPUTY )  
CLERK )  
MUSCOGEE (CREEK) NATION )  
**NOTICE OF RECUSAL**


Upon request of the Muscogee National Council on July 2, 2010, in the above-styled action to reconsider *En banc* the *Administrative Order Affirming Current District Court Judge's Continued Service for a Limited Period Pending Formal Replacement* dated June 30, 2010, issued by Chief Justice Jonodev O. Chaudhuri; we, the undersigned, subsequently participated in the analysis and deliberation of the validity of his action. We, the undersigned, did not have the requisite majority votes pursuant to M.C.N.A., Tit. 27, App. 2, Rule 22 C.,<sup>1</sup> to overturn Justice Chaudhuri's action purporting to set aside M.C.N.A., Tit. 26, § 3-204. The resulting tie reflected the clear lines of support and opposition to Justice Chaudhuri's actions. Therefore, no decision of the Supreme Court has heretofore been rendered.

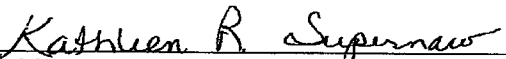
We, the undersigned, have sworn under oath to support and defend the Constitution of the Muscogee (Creek) Nation and as such, the duly enacted laws of the Muscogee (Creek) Nation. Further, the Code of Conduct for Muscogee (Creek) Nation Judges provides at M.C.N.A., Tit. 26, § 4-102, Cannon 2 A., that, "A judge should respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary."

Pursuant to the fact that the full Court has already deliberated this issue resulting in a 3-3 tie, all sitting Justices are now conflicted from hearing this case. As such, we, the undersigned, recognizing the gravity of the situation, find that we have no recourse but to recuse ourselves from hearing and deliberating this case, and hereby do so.

Dated this 2nd day of September, 2010.

  
Denette Mouser, Justice

  
Leah Harjo-Ware, Justice

  
Kathleen Supernaw, Justice

<sup>1</sup> Rule 22 C. Judgment/Decision, provides that, "A judgment or decision of the Supreme Court requires the approval of a minimum of four justices."

**CERTIFICATE OF DELIVERY**

I, Connie Dearman, Supreme Court Deputy Clerk for the Muscogee (Creek) Nation, do hereby certify that on this 2nd day of September, 2010, that I faxed and mailed a true and correct copy of the above document with proper postage prepaid to the following:

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\_\_\_\_\_  
Connie Dearman, Supreme Court Deputy Clerk