

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

JEFF FIFE; TED TIGER; JESS HARJOCHEE; )  
CECIL HARRY; RODNEY LUELLEN; )  
JEANETTA CARR; JOSEPH DOMEBO; )  
CECILIA WITTMAN; JENNIE GOODELL; )  
and DANIEL WIND, )

Appellants, )

v. )

MUSCOGEE (CREEK) NATION, )

Respondent. )

MUSCOGEE (CREEK) NATION  
SUPREME COURT  
FILED

2012 MAY 9 PM 1 16

CONNIE DEARMAN   
DEPUTY COURT CLERK

Case No. **SC 2011-07**

(District Court Case Nos. CRF 2010-41  
*through* CRF 2010-51 (inclusive)  
except CRF 2010-45))

**ORDER OF DISMISSAL**

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

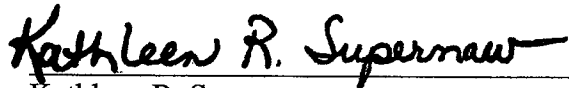
The last entry in this matter, the Muscogee (Creek) Nation Attorney General's *Notice of Status Entry*, reveals that all criminal charges underlying the instant appeal were dismissed with prejudice by the Muscogee (Creek) Nation District Court on February 9, 2012, subsequent to the Attorney General's motion for voluntary dismissal. Accordingly, the record now indicates this matter no longer presents a justiciable case or controversy. Justiciability may, in some instances, serve as appropriate grounds for dismissal of a pending appeal on the Court's own motion.<sup>1</sup> We hold that the instant appeal was rendered moot as a result of the District Court's grant of the Attorney General's *Dismissal of Criminal Complaint* with prejudice.

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<sup>1</sup> SC 09-09, *Speir v. Creek Nation Casino* (Nov. 28, 2011) (holding appellant's workers compensation claim unripe for adjudication prior to arbitration under MCNCA Title 48, §9-101A), and SC 09-10, *Trepp v. MCN Election Board*, 4 Mvs. L. Rep. 385 (Dec. 21, 2009) (holding petitioner's application for temporary restraining order unripe for appellate review).

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

**DELIVERED AND FILED:** May 9, 2012.

  
Kathleen R. Supernaw  
Chief Justice

**CERTIFICATE OF MAILING/DELIVERY**

I, Connie Dearman, Court Administrator for the Muscogee (Creek) Nation Supreme Court, do hereby certify that on this 9<sup>th</sup> day of May, 2012, I faxed and mailed a true and correct copy of the foregoing Supreme Court's **Order of Dismissal** with proper postage prepaid to the following:

O. Joseph Williams  
Pitchlynn & Williams, PLLC  
124 E. Main Street  
P.O. Box 427  
Norman, OK 73069  
Fax: 405-447-4219

Roger Wiley, Attorney General  
Muscogee (Creek) Nation  
Department of Justice  
PO Box 580  
Okmulgee, OK 74447  
Fax: 918-756-2445

A true and correct copy of the foregoing Supreme Court's **Order of Dismissal** was also hand-delivered on this 9<sup>th</sup> day of May 2012 to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.

  
Connie Dearman, Court Administrator