

IN THE COURT OF INDIAN OFFENSES FOR THE WICHITA AND AFFILIATED TRIBES ANADARKO, OKLAHOMA

FILED

In the Office of the Court Clerk

MAY 28 2013

VANESSA VANCE, PATRICIA)
SMITH, AND LORETTA)
PARTRIDGE, WICHITA TRIBAL)
MEMBERS,)

Petitioners,)

VS.)

TERRI PARTON, as an individual in)
her capacity as President of The)
Wichita and Affiliated Tribes,)
Respondent.)

Docket _____ Page _____ Recorded _____
In Journal _____ on Page _____
BY: *[Signature]*
Court Clerk/Deputy

Case No. CIV-13-042

WICHITA AND AFFILIATED TRIBES' MOTION TO DISMISS

The Wichita and Affiliated Tribes ("Tribe"),¹ by and through undersigned counsel, move this honorable Court to dismiss this action for lack of subject matter jurisdiction because tribal and federal law forbid the Court from hearing cases against the Tribe and from adjudicating internal tribal political disputes. The Tribe appears specially to make this motion, and does not waive any defenses by so appearing. The Tribe makes this motion in accordance with Part II, Rule 5.8 of the Court Rules of the Court of Indian Offenses for the Anadarko Area Office.

In support of its motion, the Tribe states:

1. This Court is prohibited from adjudicating internal tribal disputes. Section 4 of the Tribe's Tribal Court Civil Jurisdiction Ordinance provides: "This Ordinance shall not be interpreted to grant the Tribal Court jurisdiction to adjudicate **internal tribal government disputes.**"

¹ Representing Defendant President Terri Parton, who is being sued for actions taken while acting in her official capacity.

(emphasis added). Similarly, this Court's regulations prohibit it from adjudicating this internal governmental dispute. 25 C.F.R. § 11.118(b). The Petitioners ask this Court to adjudicate an internal governmental dispute by alleging that the President has not fulfilled her official duties and requesting this Court to mandate that the President call a Special Tribal Council meeting with the agenda outlined on the petition submitted to the President requesting a Special Tribal Council meeting. Because the Tribe has not authorized this Court to hear internal tribal disputes, this Court is without jurisdiction.

2. Suits against the Tribe's officials constitute suits against the Tribe. See Santa Clara Pueblo v. Martinez, 436 U.S. 49, 71-72 (1978). Defendant Ms. Terri Parton is the President of the Wichita and Affiliated Tribes, and has been sued in her official capacity. The Tribe's own Tribal Court Civil Jurisdiction Ordinance of 2011 prevents this Court from adjudicating this dispute. The Ordinance provides that, in order for this Court to have jurisdiction over suits against the Tribe, there must be either a clear waiver of sovereign immunity or a tribal ordinance expressly authorizing the suit. §1(c). Further, for suits against a tribe, this Court's regulations require an express waiver of the Tribe's immunity by resolution or ordinance. 25 C.F.R. § 11.118(d). No such tribal ordinance waiving the Tribe's immunity or granting jurisdiction to

this Court exists. Therefore, this Court lacks subject matter jurisdiction over this suit against the President of the Tribe.

3. Even if Petitioners overcame the burden of proving that this Court has jurisdiction to hear this case, which they cannot, a Special Meeting substantially similar to that requested by Petitioners already occurred on May 18, 2013, and, upon information and belief, Petitioners participated in the discussion during said meeting regarding the Revenue Allocation Plan, and Tribal Constitution and other business, rendering the requested relief moot.
4. Petitioners Vance and Smith lack standing to seek mandamus in this Court because neither signed the petition for a Special Council meeting attached to the complaint. Because it is not clear from the record that Petitioners Vance and Smith are real parties in interest who have a right to a Special Meeting that could be enforced if this Court were to have jurisdiction, Petitioners Vance and Smith must be dismissed as parties to this action.
5. Tribal law, federal law, federal regulation, and actions of the Wichita and Affiliated Tribes prohibit this Court from hearing this case.

WHEREFORE, the Wichita and Affiliated Tribes ask this Court to dismiss this matter for lack of subject matter jurisdiction.

Respectfully Submitted,

HOBBS, STRAUS, DEAN & WALKER, LLP



WILLIAM R. NORMAN, JR., OBA #14919

JAMES M. BURSON, OBA #20037

HOBBS, STRAUS, DEAN & WALKER, LLP

101 Park Avenue, Suite 700

Oklahoma City, OK 73102

Telephone: (405) 602-9425

Facsimile: (405) 602-9426

ATTORNEYS FOR WICHITA AND AFFILIATED TRIBES

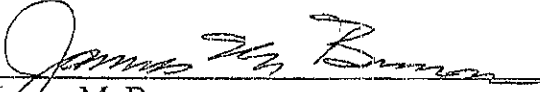
CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of May 2013, I served the above and foregoing document by pre-paid U.S. First Class Mail and/or hand delivery upon the following:

**Vanessa Vance
P.O. Box 444
Anadarko, OK 73005**

**Patricia Smith
1326 E. Ponjo Avenue
Fort Cobb, OK 73038**

**Loretta Partridge
213 Campbell
Anadarko, OK 73005**


James M. Burson

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Respondent.)

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**WICHITA AND AFFILIATED TRIBES' BRIEF IN SUPPORT OF
MOTION TO DISMISS**

Respectfully Submitted,

HOBBS, STRAUS, DEAN & WALKER, LLP

[Signature]
WILLIAM R. NORMAN, JR., OBA #14919
JAMES M. BURSON, OBA #20037
HOBBS, STRAUS, DEAN & WALKER, LLP
101 Park Avenue, Suite 700
Oklahoma City, OK 73102
Telephone: (405) 602-9425
Facsimile: (405) 602-9426
ATTORNEYS FOR WICHITA AND
AFFILIATED TRIBES

**BRIEF IN SUPPORT OF
WICHITA AND AFFILIATED TRIBES' MOTION TO DISMISS**

The Wichita and Affiliated Tribes specially appears for the purpose of challenging the Court's subject matter jurisdiction over Petitioners' case and submits this brief in support of its Motion to Dismiss. This Court is a court of limited jurisdiction, and the Petitioners have failed to establish a basis for it to adjudicate the subject matter of their cause of action. This case, therefore, must be dismissed.

Statement of the Issues

The fundamental question presented is whether the Court has jurisdiction over an internal governmental dispute. Petitioners present the Court with the question whether the special meeting provisions of the Wichita and Affiliated Tribes Governing Resolution have been followed. That issue requires the Court to review and interpret Wichita law in order to apply it as requested by Petitioners to direct official actions of the Tribe's officials. Finally, because the President was named in this suit in her official capacity, and the President was acting within the scope of her authority and the remedies requested run against the Wichita and Affiliated Tribes (Complaint ¶10), the Court must conclude the Tribe is the real party in interest.

Burden of Proof

Petitioners must prove that the Court has jurisdiction over the subject matter of their cause of action. See Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994) (noting that the burden of proving subject matter jurisdiction "rests upon the party asserting jurisdiction"); Morrison v. Choctaw Tribe, 4 Okla. Trib. 406 (Choctaw CIA

1995) (affirming dismissal of action for failure to prove that proper jurisdiction exists). The burden of persuasion rests with Petitioners because they assert that proper jurisdiction exists.

Not only do Petitioners bear the burden of proof, they must also overcome a presumption that the Court lacks jurisdiction. Courts of limited jurisdiction, such as the Court of Indian Offenses, impose such a presumption against the party asserting jurisdiction. See, e.g., Kokkonen, 511 U.S. at 377 ("[i]t is to be presumed that a cause lies outside this limited jurisdiction and the burden of establishing the contrary rests upon the party asserting jurisdiction") (citations omitted). See also Dry v. Court of Indian Offenses of the Choctaw Tribe, 5 Okla. Tribe 307, 310 (Chickasaw CIO-App. 1997) (recognizing that Courts of Indian Offenses are courts of limited jurisdiction). If Petitioners cannot overcome this presumption, the Court must dismiss the cause of action. See, e.g., Tuck v. United Servs. Auto. Ass'n, 859 F.2d 842, 844 (10th Cir. 1988) ("[w]henver it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action") (quoting Fed. R. Civ. P. 12(h)(3)).

First, the Wichita and Affiliated Tribes has not granted Court of Indian Offenses jurisdiction to resolve disputes concerning internal tribal governance without express authorization from the tribe. Tribal Court Civil Jurisdiction Ordinance of 2011, §§ 1(c)(ii), 4; 25 C.F.R. § 11.118(b). The Tribe has never authorized such jurisdiction. Second, a tribe retains its sovereign immunity and cannot be sued in a Court of Indian Offenses, unless the tribe has explicitly and formally waived its immunity for such

purposes. Tribal Court Civil Jurisdiction Ordinance of 2011, §§ 1(e)(ii), 25 C.F.R. § 11.118(d). The Tribe has not waived its immunity for this action.

Argument and Authorities

I. **The Court must dismiss this case because it involves an internal governmental dispute.**

Federal regulations provide that each tribe under the jurisdiction of a Court of Indian Offenses may pass laws which supersede the federal regulations. 25 C.F.R. § 11.108(b). Two years ago, the Tribe passed the Tribal Court Civil Jurisdiction Ordinance of 2011 ("Jurisdiction Ordinance") which, like the federal regulations governing the jurisdiction of this Court, specifically provides that this Court does not have jurisdiction over internal tribal disputes. Section 4 of the Jurisdiction Ordinance expressly states: "This Ordinance shall not be interpreted to grant the Tribal Court jurisdiction to adjudicate **internal tribal government disputes.**" (emphasis added). Similarly, the Court's governing regulations expressly prohibit it from adjudicating internal tribal government disputes. "A Court of Indian Offenses may not ...adjudicate any internal tribal government dispute unless the relevant tribal governing body passes a resolution, ordinance or referendum granting the court jurisdiction." 25 C.F.R. § 11.118(b) (2012)).

Courts of Indian Offenses, and Appellate Divisions of such courts have held that the Court lacks jurisdiction over internal disputes. See Bread v. Coffey, No. CIV-07-A13 (Comanche CIO) (Attached Exhibit 1) (citing Kaulaity v. Bear as requiring dismissal of internal tribal and election disputes); Kaulaity v. Bear, CIV-05-A09 (Kiowa CIA)

(holding CFR courts lack of jurisdiction over election or internal tribal disputes). Burgess v. Comanche Bus. Comm., No. CIV-04-A03P (Comanche CIO-App. 2005) (holding that the predecessor to Section 11.118(b), Section 11.104(b), prevented the Court of Indian Offenses from hearing internal government disputes). In Burgess, the appellate court fashioned a test to determine whether a dispute was internal to a tribe. If a court must "**examine the inner workings of the tribe via its constitution**" or "**if a constitutional basis, or lack thereof, is part of the equation,**" to resolve a dispute brought against the Tribe, then the situation is an internal tribal government dispute prohibited by the Court's regulations. Id. at pg. 2.

Here, Petitioners have claimed the President failed to fulfill her presidential obligations in calling a Special Tribal Council Meeting (Complaint ¶10).¹ Petitioners' claim requires the Court to examine the inner workings of the Tribe's procedures for calling a Special Tribal Council Meeting in accordance with Article VI, Section 2 of the Governing Resolution, and no resolution or ordinance of the Tribe grants this Court jurisdiction. Contested official action of the President of the Wichita and Affiliated Tribes calling a special meeting is the epitome of an internal tribal government dispute and no law, resolution, or ordinance grants this Court jurisdiction over disputes against the Tribe or its elected officials. This case meets the Burgess test for an internal tribal

¹ The Plaintiffs submitted a petition to the President, requesting that a Special Tribal Council Meeting be called for the purposes of "adopting a Revenue Allocation Plan and discussion of a Tribal Constitution." However, Plaintiffs did not submit a Revenue Allocation Plan for consideration. Accordingly, the President called the meeting "for discussion purposes only." Even if the Plaintiffs were able to overcome the burden of proving that this Court has jurisdiction to hear this case, the claim would fail because the requested relief is a legal impossibility.

government dispute and must be dismissed pursuant to the Jurisdiction Ordinance and 25 C.F.R. § 11.118(b)

II. The Court must dismiss this case because it violates the Wichita and Affiliated Tribes' sovereign immunity from suit.

The Tribe retains sovereign immunity from suit as an attribute of its inherent sovereignty. See Santa Clara Pueblo v. Martinez, 436 U.S. 49, 58–59 (1978). This immunity extends to the Tribe's elected officials acting in the scope of their official capacities. Id. at 71–72. The Tribe's Jurisdiction Ordinance provides that this Court shall only have jurisdiction when the Tribe or a Tribal entity is a defendant when "[t]he Tribe...has provided a lawful, express, and unequivocal waiver of sovereign immunity for the cause of action; or ...enacted an ordinance that expressly authorizes the cause of action to be resolved in the Tribal Court against the Tribe..." §1(c). Petitioners cite no such ordinance, nor does such ordinance waiving the Tribe's immunity or authorizing this action exist. Because the Tribe has not enacted such a law waiving the Tribe's immunity or granting this Court jurisdiction over this action against the Tribe, this suit must be dismissed.

Further, the Court's governing regulations prohibit it from hearing cases brought against the Tribe without an express waiver of immunity. 25 C.F.R. § 11.118(d) ("A tribe may not be sued in a Court of Indian Offenses unless its tribal governing body explicitly waives its tribal immunity by tribal resolution or ordinance."). The Petitioners have named the President of the Tribe in her official capacity, and the Tribe has not

waived its sovereign immunity from suit to permit challenges to the President's calling of Special Tribal Council Meetings.

Section 1 of the Tribe's Jurisdictional Ordinance and Section 11.118(d) of this Court's regulations thus create an additional jurisdictional burden for Petitioners (in addition to Section 4 of the Ordinance and Section 11.118(b) of federal regulations prohibiting the Court from adjudicating internal tribal government disputes (discussed above)). Assuming *arguendo* that Petitioners could overcome the burden of proving that this Court has jurisdiction to hear internal tribal governmental disputes, their cause of action would still be barred by the Tribe's sovereign immunity. The Tribe's sovereign immunity as well as the prohibition on this Court hearing internal disputes independently prevent Petitioners' claims from being heard in this forum. Petitioners cannot circumvent the Tribe's immunity because they seek a remedy against the Tribe itself: compelling the President, in her official capacity, to call a Special Tribal Council Meeting. Further, Petitioners themselves do not allege that the Tribe has waived its immunity.

Case law supports the Tribe's assertion that sovereign immunity shields the Defendant (the President of the Tribe) in this action. In Comanche Tribe v. Darrow, No. CIV-02-A04 (Comanche CIO 2004), the court held that tribal sovereign immunity extends to elected tribal officials:

Justice McKay in his concurring opinion in Tenneco Oil . . . stated that **when tribal officers are merely wrong, the action is not outside the scope of immunity**. . . . Justice McKay wrote: "If the actions of an officer do not conflict with the terms of his valid statutory authority, they are the actions of the sovereign, whether or not they are tortious under general law . . . (Furthermore,) the action itself cannot be enjoined or directed, since it is . . . the action of the sovereign."

* * *

[T]he Fort Sill Apache Tribe has sovereign immunity as concerns the injunctive relief sought by the Plaintiff, and . . . **suing the tribal officers is an attempt to circumvent the sovereign immunity of the Tribe, and cannot be allowed.**

Id. at 4 (emphasis added). Petitioners appear to seek to circumvent the Wichita and Affiliated Tribes' sovereign immunity in precisely the same way.

The Governing Resolution clearly **requires** the President to call Special Tribal Council meetings when so petitioned by twenty tribal members. Gov. Res. art. VI § 2. Because the President simply took action **required** of her, the President acted within the scope of her authority and the Tribe's sovereign immunity shields the President from suit. As a result, the Court must dismiss this suit.

III. Even if the Petitioners were able to overcome the burden of proving that this Court does have jurisdiction to hear this case, which they cannot, the issue is moot.

Moreover, even when a court initially has jurisdiction over a matter, that court loses jurisdiction when circumstances change in such a way as to render the case moot. In other words, "a case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." Powell v. McCormack, 395 U.S. 486, 496 (1969). Discussion regarding a Revenue Allocation Plan and tribal constitution took place at the Special Council Meeting on May 18, 2013. Not only were the Petitioners afforded an opportunity to develop a Revenue Allocation Plan, and failed to do so, Petitioners and other tribal members in attendance, were also afforded a forum to discuss the Revenue Allocation Plan and tribal constitution at the Special Council Meeting. While Petitioner desires to "adopt" a Revenue Allocation Plan, discussion and

development must first occur before any plan is voted upon and put in place. Petitioner Smith acknowledged on the Facebook Page on April 6 that, "[t]he meeting to be scheduled by Terri is not to 'finalize' a revenue allocation plan but to HELP in developing a revenue allocation plan which the Tribal Council can adopt." Exhibit 2. Petitioner Vance acknowledged on the Facebook Page on April 12 that the intent of the requested meeting was "so everyone could voice their opinion..." about the Revenue Allocation Plan. See Exhibit 2. Discussion regarding the Revenue Allocation Plan and constitution occurred at the May 18, 2013 Special Meeting, and Petitioners attended² and participated in the discussion; thus, the matter is moot.

IV. Petitioners Vance and Smith lack standing to challenge President Parton's calling of the Special Meeting.

Neither Petitioner Vance nor Petitioner Smith signed the petition attached to their complaint for request of a Special Council Meeting, attached as "Exhibit 4". An action must be prosecuted in the name of the real party in interest. Fed. R. Civ. P 17(a)(1). "This rule requires that the party who brings an action actually possess, under the substantive law, the right sought to be enforced." United HealthCare Corp. v. American Trade Ins. Co., Ltd., 88 F.3d 563, 569 (8th Cir. 1996) (citing Iowa Public Service Co. v. Medicine Bow Coal Co., 556 F.2d 400, 404 (8th Cir.1977)). Since neither Petitioner Vance nor Petitioner Smith signed the petition attached to their complaint requesting the Special Council Meeting, they are not the real party in interest under Rule 17(a)(1) and cannot enforce the right to have the Respondent hold the requested meeting.

² See Exhibit 3

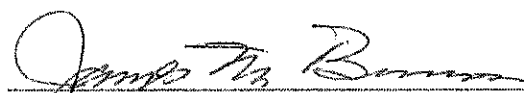
Conclusion

The law of the Wichita and Affiliated Tribes, the jurisprudence of the Court of Indian Appeals, and federal law, all prohibit the Court from hearing this case. In addition to those fatal flaws of the Petitioners' case, Petitioners attended the May 18, 2013 Special Tribal Council Meeting and participated in the discussion that occurred, rendering the Petitioners' issue moot. Further, from the documentation provided to this Court by the Petitioners, Petitioners Vance and Smith do not appear to be real parties in interest to this case. For any or all of the foregoing reasons, the Court lacks subject matter jurisdiction over this matter, and the case must be dismissed.

Dated this 28th day of May, 2013.

Respectfully Submitted,

HOBBS, STRAUS, DEAN & WALKER, LLP



WILLIAM R. NORMAN, JR., OBA #14919

JAMES M. BURSON, OBA #20037

HOBBS, STRAUS, DEAN & WALKER, LLP

101 Park Avenue Suite 700

Oklahoma City, OK 73102

Telephone: (405) 602-9425

Facsimile: (405) 602-9426

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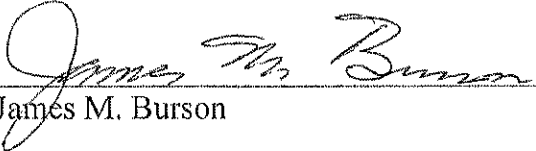
CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of May, 2013, I served the above and foregoing document by pre-paid U.S. First Class Mail and/or hand delivery upon the following:

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P.O. Box 444
Anadarko, OK 73005**

**Patricia Smith
1326 E. Ponjo Avenue
Fort Cobb, OK 73038**

**Loretta Partridge
213 Campbell
Anadarko, OK 73005**


James M. Burson

IN THE COURT OF INDIAN OFFENSES FOR THE COMANCHE NATION
ANADARKO, OKLAHOMA

IN THE MATTER OF:
DARRELL BREAD, ET.AL.)
Plaintiff,)

vs.)

WALLACE COFFEY &)
DORIS CHAVEZ Defendant,)

M. Atackovic
Attorney for Plaintiff

Case No. CIV-07-A13

Jean P. ...
Attorney for Defendant
FILED In The
Office Of The Court Clerk

FEB 26 2008

COURT MINUTE

Date: FEBRUARY 26, 2008

Judge: PHIL LUJAN

DOCKET _____ PAGE _____ RECORDED
IN JOURNAL _____ ON PAGE _____
MARGARET L. KOMALTY, Court Clerk
By _____ Deputy.

- 1. Plaintiff appears/appears not, defendant appears/appears not.
- 2. On motion of plaintiff, case dismissed - _____
- 3. Parties fail to appear, case dismissed - _____

OTHER:

The Court this date takes judicial notice of the previous Appellate Court Decision in C.V.-05-A07 Kaulity, etal versus Berry etal.

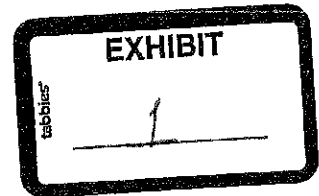
The Appellate Court specifically stated the CFR District Court lacks jurisdiction over an Election Dispute or an internal Tribal Dispute.

The Court finds this precedent dispositive of the present case.

Accordingly, this matter is dismissed by the Court on its own initiative without benefit of argument or consideration of any motion. This Order is final.

IT IS SO ORDERED!

[Signature]
Judge, Court of Indian Offenses



facebook

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April 4 at 3:16pm



Vanessa Vance

In her email, she would like to receive a proposed revenue allocation plan by April 12 so the Executive Committee can review it. Lets show how media can be used to get input from all members. I'll post a draft plan and lets get the ball rolling.

Share · April 3 at 4:55am

6 people like this.

Seen by 70



Patricia East Smith Have you received the enrolinea information and do we know approximately how much casino revenue is received per year? It would also help to have information on how funds are currently budgeted or spent the last few years. Lack of this information won't prevent coming up with a plan but perhaps a better plan could be made with it?

April 4 at 10:35am · #52



Vanessa Vance

Regulations concerning Revenue Allocation Plans.

<http://www.nigc.gov/Portals/0/NIGC%20Uploads/lawsregulations/DOI%20Gaming%20Regulations/DOI%20part%20290.pdf>

<http://www.nigc.gov/Portals/0/NIGC%20Uploads/lawsregulations/DOI%20Gaming%20Regulations/DOI%20part%20290.pdf>

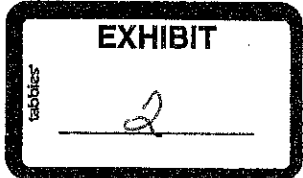
Share · April 4 at 11:07am

Seen by 70



Vanessa Vance

Our Tribal President has agreed to call a Special Tribal Council Meeting. She will set a date by next week. I am glad we have a tribal leader who understands the importance of her position and is willing to work with the membership for the future of our Tribe and its membership.



Share · Apr. 10 at 2:05pm

Seen by 55



Vanessa Vance

In order to determine Revenue Allocation Plan categories, please vote for the items you feel should be included

- Education +11
- Elder Programs +10
- Children's Clothing Assistance +9

11 More...

Share · Apr. 7 at 7:55pm

4 people like this.

Seen by 67



Vanessa Vance. Feel free to recommend other areas

April 4 at 7:59pm



Patricia East Smith I know this is being picky; What are we using as a definition of "social services"? Is "land issues" in the first category the same as "land acquisition" or could there be a cross over?

April 4 at 8:20pm



Vanessa Vance The legal assistance -land issues, would be to provide legal assistance in drafting wills and assistance in understanding and negotiating surface and subsurface leases. There are also people who could use assistance in understanding trust issues. The land acquisition would be funds to buy land, particularly land within our jurisdictional area for housing, economic development and could we ever hope -agriculture.

April 4 at 8:26pm · #2



Patricia East Smith Based upon previous comments, do we need to clarify elder to elder/disabled or do disabled come under healthy/medical assistance? Have no problem including disabled with elders just want to be on the same page?

April 4 at 9:36pm




Vanessa Vance I think disabled and handicapped should be considered the same as elderly. Might have to disagree about them receiving elder payments. LOL


April 4 at 9:28pm · #2




Patricia East Smith To add a little clarification to my choices: First, We take care of the people who got us here Elders; 2nd;3rd, Next we take care of the people who are going to get us into the

 considered the same as elderly. Might have to disagree about them receiving elder payments. LOL


April 4 at 9:29pm · #02

 Patricia East Smith To add a little clarification to my choices: First, We take care of the people who got us here-Elders; 2nd/3rd, Next we take care of the people who are going to get us into the future-Children's Assistance and Education; 4th, Respect for all tribal members dignity-Burial; 5th, No more land is being made, maybe shifted, plus the return on investment-Land Acquisition; 6th, we all have needs and every little bit helps-Per Capita. WTIDC was created for Economic development plus other funds (tax commission, motor fuels, 20%, Proceeds of Labor (rent/lease of WCD lands) may help with other areas.


April 4 at 9:44pm · #02

 Beverly Weathers Adair This is so difficult to respond to. One could say all of the above. I would like to know what the tribe is already doing and how it is funded.

April 6 at 12:09pm via mobile · Edited · #02

 Patricia East Smith I am under the opinion (I could be wrong) this information is for planning purposes to get a feel for what the tribal council members concerns are and how THEY would want casino revenues spent. The meeting to be scheduled by Terri is not to "finalize" a revenue allocation plan but to HELP in developing a revenue allocation plan which the Tribal Council can adopt. After all, it is to be submitted to the Executive Committee for review. We have to begin somewhere. This is that beginning. If you do not feel free to post on this website, I'm sure Vanessa would appreciate you comments via other methods.

April 6 at 9:51pm

 Vanessa Vance I hope to post a draft revenue allocation plan by tomorrow. As Pat said, this is to start the process-- everyone's input is welcomed.

April 6 at 7:32pm

Search for people, places and things



with people living in them and had fire in the inside.

April 13 at 1:22pm via mobile · Edited · #3



Vanessa Vance

Today is the deadline our Tribal Executive Committee gave me to submit a Revenue Allocation Plan. I find this whole think disturbing for several reasons. The whole intent was to have a tribal council meeting so everyone could voice their opinion, not just one person draft a "plan". But as I said, at least its a start. And then I also realize that whatever I provide, they will turn over to their attorney who will charge the tribe \$\$\$ to review, which defeats the purpose of having a draft. The big question is %s. I've gotten some feedback from a few people, but again that's what the Executive Committee is going to say, only a few expressed their input. But its a start. It's really a delay tactic. The President has said May 18th but she hasn't made it official (although she said she'd have a date by this week).

I still haven't received an answer as to what revenue is generated by the casino. You'd think they could even provide historical data.

Just like all the other things we've asked for like absentee voting, oil and gas severance tax, financial reports, quarterly meetings, reports for all entities, conflict of interest.....

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Seen by 65

Wienita and Affiliated Tribes
SPECIAL GENERAL COUNCIL MEETING

May 18, 2013

10:00 a.m.

1. Tiffani Quezada
2. Shirley Laniella
3. Daniel Davilla
4. Juanita Merced
5. Lynn Wick-
6. J. Robert White
7. Matt Rlu
8. Juan Julian Embattino Juan
9. Jason Prince
10. Matt Rlu
11. ~~Kevin Hilda~~
12. Tara Sawtosh
13. Dustin Schmidt
14. Eric Wilcox
15. Veronica Bruesch
16. Charles Bruesch
17. Matt Haggard
18. Jason Van
19. Patricia West Smith
20. Jason Prince

Wichita and Affiliated Tribes
SPECIAL GENERAL COUNCIL MEETING

May 18, 2013

10:00 a.m.

21	mg a
22.	Lotta Partridge
23.	Donna Myles
24.	Raymond Donald
25.	Paul Lee Jr
26.	Olga Atadaj
27.	Margaret J. Bee
28.	Bob Lee
29.	Anthony Calindo
30.	JESSICA Wusyithi Tatta
31.	Joseph Delapierre
32.	John A. Miller
33.	July Elzanko
34.	Lisli Standing
35.	Nidhu Tette
36.	David Williams
37.	James Williams
38.	Mark L. Calindo
39.	Edward Stephenson
40.	Ray Lee
41.	Nessa Aparty

Wichita and Affiliated Tribes
SPECIAL GENERAL COUNCIL MEETING

May 18, 2013

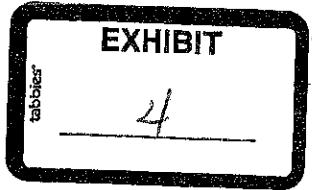
10:00 a.m.

42. Rosanne Colton
43. Patricia A. Goyette
44. Frances Cunningham
45. Adrienne Candace Koughface
46. LOUISA NAAPON RIFFEL
47. Shalene Fleming
48. Fran Jensen
49. Christa Manz
50.
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62.

PETITION FOR SPECIAL COUNCIL MEETING

In accordance with Article VI, Section 2 of the Wichita Governing Resolution, we the undersigned enrolled members of the Wichita and Affiliated Tribes are providing a written request for President Terri Parton to call a Special Council Meeting on April 13, 2013. This meeting will be for the purpose of adopting a Revenue Allocation Plan, discussion of a Tribal Constitution and other business.

DATE	NAME	ADDRESS	SIGNATURE
3/25/13	Cynthia Roberts	P.O. Box 1155, Annapolis, Okla	Cynthia Roberts
3-25-13	Down Shepherd	P.O. Box 1155, Annapolis, Okla	Down Shepherd
3/25/13	Loretta K. Berteidge	213 Campbell St. Annapolis, OK 73005	Loretta K. Berteidge
3/24/13	Patricia A. Stewart	213 Campbell St. Annapolis, OK 73005	Patricia A. Stewart
3/25/13	Terri Parton	PO Box 135 Annapolis, Ok 73005	Terri Parton
3/25/13	Alisa Otadadety	3118 Co. St 2670 Annapolis, Ok	Alisa Otadadety



PETITION FOR SPECIAL COUNCIL MEETING

In accordance with Article VI, Section 2 of the Wichita Governing Resolution, we the undersigned enrolled members of the Wichita and Affiliated Tribes are providing a written request for President Terri Parton to call a Special Council Meeting on April 13, 2013. This meeting will be for the purpose of adopting a Revenue Allocation Plan, discussion of a Tribal Constitution and other business.

DATE	NAME	ADDRESS	SIGNATURE
3-27-13	Jessica Tilton	806 Campbell St. ^{Amherst} OK 73005	Jessica Tilton
3-27-13	Young Tilton Jr	201 Campbell Amherst OK	Young Tilton Jr
3-27-13	Narwan Tilton	206 W Caracoda	Narwan Tilton
3-27-13	Willie Tilton	114 W Virginia	Willie Tilton
3-27-13	Elbony Tilton	114 W Virginia	Elbony Tilton
3-27-13	Jessica Coosyphik	409 E Virginia	Jessica Coosyphik
3-27-13	Wendy Tilton	1906 Santa Fe Rd. 1310	Wendy Tilton
3-27-13	Wendy Tilton	46 Kansas Pkwy. 391 Amherst	Wendy Tilton