

# Prairie Island Mdewakanton Dakota Community Tribal Court

**Judges:**

Kurt V. BlueDog, Chief Judge  
Andrew M. Small, Associate Judge  
Steven F. Olson, Associate Judge  
Susan L. Allen, Associate Judge  
Carrie Blesener, Clerk of Court



**Court Address:**

5001 W. 80th Street, Suite 500  
Bloomington, Minnesota 55437  
Phone (952) 838-2294  
Fax (952) 893-0650

## CLERK'S NOTICE

**Date:** August 19, 2002

**To:** Steven D. Sandven, Esq.  
Steven D. Sandven Law Offices  
Three Hundred Building  
300 North Dakota Avenue, Suite 516  
Sioux Falls, South Dakota 57104

Shawn Frank  
Leonard, Street and Dienard  
Professional Association  
150 South Fifth Street, Suite 2300  
Minneapolis, Minnesota 55402

**Re:**

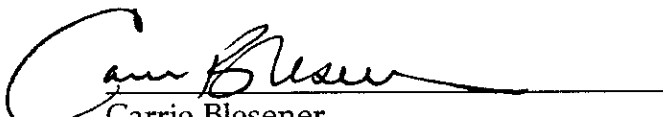
*In Re the Complaint for Removal of Community Council Member Audrey Kohnen;  
Case No. CIV-481-02*

*In Re the Complaint for Removal of Community Council Member Mason Pacini;  
Case No. CIV-482-02*

*In Re the Complaint for Removal of Community Council Member Alan Childs, Sr.;  
Case No. CIV-483-02*

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A Status Notice (copy enclosed) was issued in the above-captioned matters today.

  
Carrie Blesener  
Clerk of Court

Filed  
On

AUG 19 2002

IN THE TRIBAL COURT OF THE  
PRAIRIE ISLAND MDEWAKANTON DAKOTA COMMUNITY

PRAIRIE ISLAND INDIAN RESERVATION

STATE OF MINNESOTA

In Re the Complaint for Removal of  
Community Council Member  
Audrey Kohnen,

Case No. CIV-481-02  
Case No. CIV-482-02  
Case No. CIV-483-02

In Re the Complaint for Removal of  
Community Council Member  
Mason Pacini, and

STATUS NOTICE

In Re the Complaint for Removal of  
Community Council Member  
Alan Childs, Sr.

Dispositive motions were deemed submitted to this Court on July 29, 2002, the day the motions were heard. The Court gave the parties until Friday, August 2, 2002 to brief the question of the effect on this matter of an apparent inconsistency between the proposed Constitutional amendment D of 1997 and the Regional Director's approval of amendment D of 1997.

The parties were unable to explain or give any factual context for the difference between the two versions of the 1997 Amendment.<sup>1</sup>

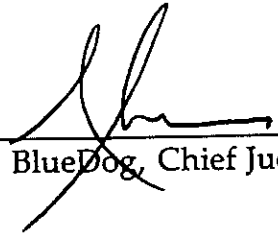
The Court has completed its review of the motions and arguments thereon. The Court has, *sua sponte*, asked the Bureau of Indian Affairs to provide to it an official ballot as it was supplied for the Secretarial election of September 23, 1997. In doing so, the Court has avoided having to make a fundamental legal conclusion for the Community regarding the validity of a portion of its Constitution without an adequate factual basis.

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<sup>1</sup> Community's Proposed Section 1. "In the event of a complaint, in writing, charging misconduct, neglect of duty, conflict of interest, ethics violations, or other criminal acts, . . ." The Bureau of Indian Affairs' language for Section 1. " In the event of a complaint, in writing, charging misconduct, neglect of duty, . . . "

As soon as an official response is received by the Court from the Bureau, it will issue a written decision on all pending matters, which shall include enumeration of the official Bureau record of the Community's 1997 Secretarial Election.

Dated: August 19, 2002

  
Kurt V. BlueDog, Chief Judge *for*