

Of Counsel Report #14

My last communication to you was a letter titled “From My Heart and in Response to Judge Roberts’ Decision”, dated January 31, 2006. This “Of Counsel Report # 14” serves to notify all of you that the Clerk of the United States Court of Appeals for the District of Columbia Circuit issued a Scheduling Order on June 23, 2006. The Clerk’s orders establishes the following briefing schedule for the parties in Felter, et al. v. Kempthorne, Secretary of Interior, et al.:

Appellant’s Brief	Due on Monday, August 7, 2006.
Appellee’s Brief	Due on Wednesday, September 6, 2006.
Appellant’s Reply Brief	Due on Wednesday, September 20, 2006.

Further, the Clerk notifies the parties that:

“Appellant must raise issues and arguments in the opening brief. The Court ordinarily will not issues and arguments raised for the first time in the reply brief.”

Without a doubt, I will have my hands full researching and drafting the Appellants’ Opening Brief and Appendix. There is a great deal of work that must go into finalizing a legal brief on appeal and making sure all the legal issues are adequately addressed.

Recently, we have initiated a very intensive letter writing campaign to seek support from the Indian Nations in the United States and Canada. Around 700 individual letters have been sent out by Oranna. This effort at seeking support from the public to write letters their Congressmen and Senators urging them to repeal the Ute Partition Act takes a great deal of time, effort and money.

Another aspect of our “support” campaign is the drafting of a resolution of support for presentation to the Tribes attending the 63rd Annual Convention of the National Congress of American Indians in Sacramento, CA. The NCAI Convention is scheduled for October 1 through October 6. We firmly believe that the passage of a resolution by the Tribes and individuals attending the October Convention will add pressure on Congress to repeal the Ute Partition Act.

I urge all of you to write your own letters to your Congressional delegation and keep the effort up at educating our federal legislators and the general public about the need to repeal the Act and restore the stolen identities to all of the 490 terminated Uintas and their descendants! We must have the commitment of each of you to keep up the Battle and help us in this very important public awareness campaign.

One thing is that we cannot give up and let up on our efforts to keep the “ball rolling.” I feel that many of you threw up your hands in disgust and frustration when Judge Roberts dismissed our case. I am challenging you to “relight the fires” and let everyone in the Civilized World know we are not going to back down. Let’s not give the scoundrels who cheated you out of your land and stole your identity any comfort knowing that we are running away with our tails between our legs. We are not going to back down!

Our NCAI efforts will take money to achieve our goal in Sacramento. Those who will be attending the Sacramento Convention with me to convince the Tribes that we need their support must rely on you to continue paying so we will be successful in October.

PAY YOUR DUES ASAP! DO NOT GIVE UP! STAY WITH US IN THIS MOST SIGNIFICANT BATTLE TO REVERSE A LIVING AND BREATHING GENOCIDAL ACT OF OUR OWN U.S. CONGRESS.

I remind you that I am a direct descendant of the Warm Springs Chiricahua Warriors, Women and Children who suffered the same mistreatment when they were captured and sent off in railroad box cars to the deadly heat and humidity in Florida and Alabama. Many of my Chiricahua Relations died along the way and they are buried far and away from their Southwestern Desert Home and Strongholds. It was because of my own personal and undying hatred for what was done to my Great-Grandfather, Nico Pas, and my Grandmother, Minnie Nicholas, that I became involved in your case. I wanted to be part of a legal and Congressional effort to eradicate and stomp out an evil Act of our own U.S. Congress that has caused so much damage to those terminated members of the Uinta Band. I feel badly when key plaintiffs like Oranna and Cal Hackford are out there with such personal dedication to every aspect of this Sacred Battle and they don’t get the highest level of moral and monetary support from each one of you.

It’s because of my Chiricahua ancestors that I am here on this Earth fighting this battle with you today. These Apaches faced a deadly foe, made very tough decisions and it is because of their standing together over a hundred years ago in battle that I carry forward with each of you. Once we break apart and lose our Spiritual direction and energy, then the thieves and scoundrels who call your Land their own know that Utah’s own dirty little secret will remain hidden.

STAND UP AND WRITE THOSE LETTERS OF SUPPORT! REACH DOWN INTO YOUR HEARTS AND SOULS AND ASK YOURSELF IF YOUR FAMILY MEMBERS WHO HAVE GONE ON TO THE SPIRIT WORLD WOULD WANT YOU TO GIVE UP!

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