

STOCKBRIDGE-MUNSEE APPELLANT COURT

06-30-11 P01:59 IN

**Mohican Nation
Community**

Stockbridge-Munsee

Tammy Pecore,)
Plaintiff/Appellant,)
vs,)
Stockbridge-Munsee Community d.b.a.)
Mohican North Star Gaming and Resort,)
Defendant/Appellee,)
)
)
)

Case No. 10 AP 2010 AA 0004

ORDER

The above-entitled action having been heard by the Stockbridge-Munsee Appellant Court by Pro tempore Honorable Garold Smith, Honorable Candace Des Armo Coury and Pro tempore, Honorable Donald Gurnoe. This Court affirmed the lower courts decision and order by the Stockbridge-Munsee Court in Case No. 2010-AA-0004.

MOTION FOR RECONSIDERATION

The Motion for Reconsideration is now before the Stockbridge-Munsee Appellant Court by Pro tempore, Garold Smith, Pro tempore, Honorable Donald Gurnoe and Honorable Candace Des Armo Coury.

Review of Facts and Findings

Upon review of all facts and documents this Appellate Court finds the following:

1. Stockbridge-Munsee Tribal Law, Chapter 1, Section 1.6.5(C)(7) states that any motion or request by a party after a judgement must be filed within 10 days after entry of judgement. The final judgement of the Stockbridge-Munsee Appellant Court was signed on November 22, 2010. The Motion for Reconsideration was filed on June 14, 2011. The date of filing of the Motion for Reconsideration is well beyond the allowed 10 days.

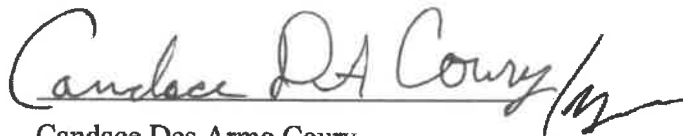
2. Stockbridge-Munsee Tribal Court, Rules of Procedure, Appeals, 24 Exclusive Jurisdiction(A) it states, "The Court of Appeals shall have exclusive jurisdiction to review all decisions of the Tribal Court as provided herein. The decision of the Court of Appeals shall be final as to all such review." Notwithstanding the belated filing of this Motion, the decision of this Appellant Court is final.

DECISION

The Stockbridge-Munsee Appellant Court affirms its November 22, 2010 decision.

Dated: June 23, 2011

BY THE COURT



Candace Des Armo Coury

Stockbridge-Munsee Tribal Judge



Pro tempore, Honorable Garold Smith



Pro tempore, Honorable Donald Gurnoe

