

## In the Tribal Court of the Confederated Tribes of Warm Springs

*All proceedings are held at the CTWS Tribal Court.*

**CTWS, Petitioner, vs LATONIA SMITH, RANDY ZARATE., RESPONDENT; Case No. JV59-17 JV60-17. TO: LATONIA SMITH, RANDY ZARATE:**

YOU ARE HEREBY NOTIFIED that a CUSTODY REVIEW/ PROBATION REVIEW has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 20th day of APRIL, 2021 @ 2:30 PM

**Confederated Tribes of Warm Springs, Petitioner, vs Emerson Miller, Respondent; Case No. CR263-20. TO: Emerson Miller:**

YOU ARE HEREBY NOTIFIED that a Criminal Arraignment hearing has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for April 27, 2021 at 8:00 am

**Confederated Tribes Warm Springs, Petitioner, vs CHANDA HOWTOPAT, Respondent; Case No. CR245,246-20. TO: Chanda Howtopat:**

YOU ARE HEREBY NOTIFIED that a Criminal Arraignment has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for April 27, 2021 at 8:00 am

**ROBERTA KIRK, Petitioner, vs JAKE EASTMAN, Respondent; Case No. DO43-21. TO: ROBERTA KIRK, JAKE EASTMAN, VOCS:**

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 20th day of APRIL 2021 @ 10:00 AM

**SHIRLEY ALLEN, Petitioner f/ Maxine Switzer, vs LARRY SWITZLER, Respondent; Case No. DO34-21. TO: SHIRLEY ALLEN, MAXINE SWITZER, LARRY SWITZLER:**

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 13th day of APRIL 2021 @ 10:00 AM

**JAMES MORAN, Petitioner, vs SHEILA THRASHER, Respondent; Case No. DO29-21. TO: JAMES MORAN, SHEILA THRASHER:**

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 20th day of APRIL 2021 @ 10:30 AM

**CTWS, Petitioner, vs RANDY ZARATE, Respondent; Case No. JV60-17, JV59-17. TO: RANDY ZARATE, LATONIA SMITH, CPS, JV PROS:**

YOU ARE HEREBY NOTIFIED that a CUSTODY REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 20th day of APRIL 2021 @ 2:30 PM

**DORIS LEWIS, Petitioner, vs HATTIE HART, Respondent; Case No. DO42-21. TO: DORIS LEWIS, HATTIE HART:**

YOU ARE HEREBY NOTIFIED that an ELDER PROTECTION ORDER has been scheduled with the Warm Springs Tribal Court. By this

notice you are summoned to appear in this matter at a hearing scheduled for the 13th day of APRIL 2021 @ 10:30 AM

**CTWS, Petitioner, vs KELLI LANGNESE, Respondent; Case No. JV8-18. TO: KELLI LANGNESE, ERICKSON LUCEI:**

YOU ARE HEREBY NOTIFIED that a SHOW CAUSE, PROBATION & CUSTODY REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 5th day of MAY 2021 @ 3:00 PM

**D'LYNRAY SPINO, Petitioner, vs CTWS, Respondent; Case No. JV122A-05. TO: D'LANRAY SPINO, KRISTA RHOAN, MYSTINA SPINO-McCORMACK, SARALEE SPINO McCORMACK, RAYMOND TORRES, ANTONE TORRES, MAHALA SPINO:**

YOU ARE HEREBY NOTIFIED that a CONSERVATOR GUARDIANSHIP has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 29th day of APRIL 2021 @ 10:00 AM

**CTWS, Petitioner, vs MARISSA KALAMA, Respondent; Case No. JV243-03. TO: MARISSA KALAMA, KEITH CHARLEY JR.:**

YOU ARE HEREBY NOTIFIED that a CUSTODY REVIEW has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 5th day of MAY 2021 @ 3:00 PM

**IN THE MATTER OF: TAYLYNN GEORGE, DOB: 01/24/2012. Case No. DO125-20. NELLIE TANEWASHA, Petitioner:**

The above individual has filed a Petition with this Court to change said name from TAYLYNN IRENE GEORGE to TAYLYNN RAVEN TANEWASHA. A hearing on this matter has been set for 10:30AM on the 14th day of APRIL, 2021, at the Warm Springs Tribal Court. Any person who may show cause why this Petition should not be granted must file such objection in writing on or before 31st day of MARCH 2021.

**KATIE MAE FRAZIER, Petitioner, vs H O W A R D CRAWFORD JR., RESPONDENT; Case No. DO143-20. TO: KATIE MAE FRAZIER, HOWARD CRAWFORD JR.:**

YOU ARE HEREBY NOTIFIED that a FILIATION has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 28th day of APRIL, 2021 @ 10:00 AM

**CTWS, Petitioner, vs ALICIA YAZZIE., RESPONDENT; Case No. JV5-21. TO: ALICIA YAZZIE, STEPHAN CENTRE:**

YOU ARE HEREBY NOTIFIED that a PRELIMINARY has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 20th day of APRIL, 2021 @ 11:00 AM

**CTWS, Petitioner, vs ESSIE LAWSON, RESPONDENT; Case No. JV28-13 JV29-13. TO: ESSIE LAWSON, HECTOR SAIZA, REGGIE MEDINA, WILLIAM STEWART, HEATHER WILLIAMS-STEWART:**

YOU ARE HEREBY NOTIFIED that a JURISDICTIONAL HEARING has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 14th day of APRIL, 2021 @ 2:00 PM

**CTWS, Petitioner, vs URSELA RUSSELL, RESPONDENT; Case No. JV10-18. TO: URSELA RUSSELL:**

YOU ARE HEREBY NOTIFIED that a ASSISTED GUARDIANSHIP HEARING has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 4th day of MAY, 2021 @ 3:00 PM

**CTWS, Petitioner, vs RACHEL FRANK, RESPONDENT; Case No. JV28-14. TO: RACHEL FRANK, BENJAMIN ARTHUR, RON & EUGENIA HAGER:**

YOU ARE HEREBY NOTIFIED that a ASSISTED GUARDIANSHIP REVIEW HEARING has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 28th day of APRIL, 2021 @ 4:00 PM

**CTWS, Petitioner, vs EDNA WINISHUT, RESPONDENT; Case No. JV107-04. TO: EDNA WINISHUT:**

YOU ARE HEREBY NOTIFIED that a CUSTODY REVIEW has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 4th day of MAY, 2021 @ 2:00 PM

**CTWS, Petitioner, vs CHANELLE JACKSON, RESPONDENT; Case No. JV192-07 JV193-07 DO38-07. TO: CHANELLE JACKSON, WAYNE EAGLESPEAKER:**

YOU ARE HEREBY NOTIFIED that a ASSISTED GUARDIANSHIP has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 6th day of MAY, 2021 @ 10:00 AM

**CTWS, Petitioner, vs DASHINA LAWRENCE, RESPONDENT; Case No. JV41-19. TO: DASHINA LAWRENCE:**

YOU ARE HEREBY NOTIFIED that a CUSTODY REVIEW has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 28th day of APRIL, 2021 @ 2:00 PM

**Martie Wolf-VanPelt, Petitioner, vs Charles VanPelt., RESPONDENT; Case No. DO35-21. TO: Martie Wolf-VanPelt, Charles VanPelt:**

YOU ARE HEREBY NOTIFIED that a Dissolution of Marriage has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 26th day of APRIL, 2021 @ 10:30 AM

**MARTHA ALVAREZ, Petitioner, vs MARY DOMINGO, RESPONDENT; Case No. JV44-21 JV45-21. TO: MARTHA ALVAREZ, MARY DOMINGO, JOSE ALVAREZ SR., NIKKI RUIZ, TANISHA REYNOSO:**

YOU ARE HEREBY NOTIFIED that a CONSERVATOR GUARDIAN

has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 8th day of APRIL, 2021 @ 9:30 AM

**CHEY CULPUS, Petitioner, vs VALENE WHEELER, RESPONDENT; Case No. DO51-11. TO: CHEY CULPUS, VALENE WHEELER:**

YOU ARE HEREBY NOTIFIED that a MODIFICATION HEARING has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 19th day of APRIL, 2021 @ 4:00 PM

**WAYLON WINISHUT, Petitioner, vs DENISE & JAMES WELDON RESPONDENT; Case No. DO109-12. TO: WAYLON WINISHUT, DENISE AND JAMES WELDON:**

YOU ARE HEREBY NOTIFIED that a CONSERVATOR GUARDIANSHIP REVIEW has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 12th day of APRIL, 2021 @ 2:00 PM

**CLARISSA WOLFE, Petitioner, vs WESLEY TEEMAN SR., RESPONDENT; Case No. DO97-20. TO: CLARISSA WOLFE, WESLEY TEEMAN SR.:**

YOU ARE HEREBY NOTIFIED that a FILIATION has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 28th day of APRIL, 2021 @ 3:00 PM

**IN THE MATTER OF: DAIQUAN WINISHUT-BOISE., DOB: 04/18/2008. Case No. DO123-20. NELLIE TANEWASHA, Petitioner.**

The above individual has filed a Petition with this Court to change said name from DAIQUAN SPOTTED ELK WINISHUT-BOISE. to DONAVON SPOTTED ELK TANEWASHA. A hearing on this matter has been set for 9:30AM on the 14th day of APRIL, 2021, at the Warm Springs Tribal Court. Any person who may show cause why this Petition should not be granted must file such objection in writing on or before 31st day of MARCH 2021

**MARTHA ALVAREZ, Petitioner, vs ANDREW RIOS RESPONDENT; Case No. DO73-08. TO: MARTHA ALVAREZ, ANDREW RIOS:**

YOU ARE HEREBY NOTIFIED that a MODIFICATION HEARING has been filed with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for the 28th day of APRIL, 2021 @ 9:00 AM

**IN THE MATTER OF: KURTIS LEE BOISE JR., DOB: 02/01/2007. Case No. DO122-20. NELLIE TANEWASHA, Petitioner.**

The above individual has filed a Petition with this Court to change said name from KURTIS LEE BOISE JR. to KURTIS LESTER TANEWASHA. A hearing on this matter has been set for 9:00AM on the 14th day of APRIL, 2021, at the Warm Springs Tribal Court. Any person who

may show cause why this Petition should not be granted must file such objection in writing on or before 31st day of MARCH 2021.

**IN THE MATTER OF: PHILLIP WINISHUT-BOISE, DOB: 03/09/2010. Case No. DO124-20. NELLIE TANEWASHA, Petitioner.**

The above individual has filed a Petition with this Court to change said name from PHILLIP RISING SUN WINISHUT-BOISE. to PHILLIP JACOBY TANEWASHA. A hearing on this matter has been set for 10:00AM on the 14th day of APRIL, 2021, at the Warm Springs Tribal Court. Any person who may show cause why this Petition should not be granted must file such objection in writing on or before 31st day of MARCH 2021

**Confederated Tribes of Warm Springs, Plaintiff, vs D'Lynray Spino, Defendant; Case No. CR230-20. TO: D'Lynray Spino:**

YOU ARE HEREBY NOTIFIED that a Arraignment Hearing has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for April 27, 2021 @ 8am

**Confederated Tribes of Warm Springs, Plaintiff, vs Michelle Charley, Defendant; Case No. CR103-20; CR126-20. TO: Michelle Charley:**

YOU ARE HEREBY NOTIFIED that a Discovery Hearing has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for April 28, 2021 @ 3:00pm

**Confederated Tribes of Warm Springs, Plaintiff, vs Nicki Blackowl, Defendant; Case No. CR17-21. TO: Nicki Blackowl:**

YOU ARE HEREBY NOTIFIED that a CRIMINAL ARRAIGNMENT has been scheduled with the Warm Springs Tribal Court. By this notice you are summoned to appear in this matter at a hearing scheduled for APRIL 6, 2021 @ 8:00AM

### PROBATE

**In the matter of the estate of Tony J. Thompson, W.S., U/A, deceased. Estate no. 2020-PR36. To Curtis Thompson, Selena Polk, Laneda Thompson, Ashley Thompson and Brandon Thompson Sr.:** You are hereby notified that an informal probate hearing is scheduled for April 14, 2021 at 9:30 a.m.

**In the matter of the estate of Perthina White, W.S., U/A, deceased. Estate no. 2020-PR66: To Ina Anderson, Gifford Anderson, Ruth Durns, Rhoda Smith, Sheldon Sutterlee, Deborah George, Vanessa George, Cecily Anderson, Steven Anderson Jr. and Jeremy Anderson:** You are hereby notified that an informal probate hearing is scheduled for April 14, 2021 at 9 a.m.

**In the matter of the estate of Carolyn R. Lawrence, W.S., U/A, deceased. Estate no. 2020-PR87. To Valerie Fuiava, Stacy Smith, Daniel Lawrence Sr., Promise Lawrence, Ester Lawrence, Gale Lawrence III, Doris Lawrence and Dashina Lawrence:** You are hereby notified that an informal probate hearing is scheduled for May 3, 2021 at 10:30 a.m.

## Umatilla court ruling on 'stay home' covid matter

MISSION—Last week on the Umatilla Reservation, 17 people cited for violating that tribe's Covid-19 social gathering restrictions were found not guilty. The alleged incident happened during an Easter day feast last year. The recent Umatilla Tribal Court ruling followed a 90-minute civil hearing.

The Umatilla 'stay home' resolution was issued in March 2020 by the tribes' Board of Trustees. Violation of the resolution carried a potential sentence of a year in jail or a maximum fine of \$5,000.

However, the 17 were cited as a civil matter rather than arrested on criminal charges, so jail would not have been ordered, and a fine would be substantially less than \$5,000, Tribal Prosecutor Kyle Daley told the court before any testimony was taken.

Toby Patrick, a CTUIR member, hosted a First Foods celebration on April 26, 2020, with more than two dozen family members at his home on the reservation. First Foods include water, salmon, deer and elk, roots and berries.

Patrick, who was represented by Robert Klahn, and his longtime partner, Julia Johnson, a Warm Springs tribal member, appeared in

Tribal Court while the others appeared telephonically.

Umatilla Associate Judge Dave Gallaher's ruling hinged on the question of whether Patrick's family feast was an "essential" event.

The Umatilla resolution prohibited "nonessential tribal, longhouse, social and recreational gatherings of individuals outside of a home or place of residence (parties, celebrations or other similar gatherings)" regardless of size, "if a distance of at least 6 feet between individuals cannot be maintained."

According to the verdict and judgment, Patrick presented evidence that the gathering was a "family religious observance" that was "essential to the spiritual and cultural well-being of the family."

Gallaher's ruling said the tribes, represented by Daley, presented no evidence that a family religious observance is "nonessential."

"In the absence of evidence on a material element of the violation, the Court is left to speculate as to what is meant by 'essential', and 'essential' to whom? Such guesswork and speculation may not be the basis of a finding of guilt," Gallaher wrote in his ruling.

Under questioning from Daley, Tony Barnett, who at the time of

the feast was a member of the Umatilla Tribal Police working as an investigator for the CTUIR Department of Children and Family Services, testified that the Patrick residence is a "certified foster home."

A Facebook photo, which spurred the investigation and subsequent citations, showed at least one child and an adult who had a "protection order against him." Barnett said he told Patrick such gatherings "can't continue if you want to keep your certification as a foster home."

However, there was no further discussion of foster children during the trial.

Chair Kat Brigham, speaking on her own and not for the full Board of Trustees, said the restrictions in the resolution were never meant to punish people for their religious beliefs.

She said the Patrick gathering was investigated and resulted in citations because of "other concerns" that were made apparent by the Facebook photo.

Brigham acknowledged that many families, including her own, had ceremonies at home.

"The resolution didn't stop that. It just asked people to be careful of numbers," she said.

## Plan provides support for tribes

The \$1.9 trillion federal American Rescue Plan invests \$1.75 billion in American Indian and Alaska Native government programs. The Rescue Plan—the ARP—makes emergency supplemental appropriations and other changes to law to respond to the ongoing coronavirus outbreak.

The ARP authorizes \$900 million for the Office of the Assistant Secretary—Indian Affairs and the Bureau of Indian Affairs to support a wide range of Covid-19 response activities, including:

- \$772.5 million for tribal government services, public safety and justice, social services, child welfare assistance, and other related expenses;

- \$100 million for tribal housing improvement;
- \$20 million to provide and deliver potable water; and
- \$7.5 million for related federal administrative costs and oversight.

In addition, \$850 million is provided to the Bureau of Indian Education for Bureau Operated Schools, Tribally Controlled Schools, and Tribal Colleges and Universities to support quality education delivery while protecting students, teachers and communities from Covid-19.

The Department of the Interior and Indian Affairs will consult with the leaders of federally recognized tribal governments to discuss implementation of the American Rescue Plan.