

BEFORE THE INDIAN CLAIMS COMMISSION

SEMINOLE INDIANS OF THE STATE)	
OF FLORIDA,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 73-A
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: February 18, 1970

Appearances:

Roy L. Struble, Effie Knowles, and Charles Bragman, Attorneys for Plaintiff.

Marvin E. Schneck, with whom was Mr. Assistant Attorney General Shiro Kashiwa, Attorneys for Defendant.

OPINION ON MOTION TO STRIKE

Per curiam.

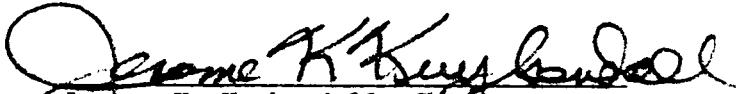
On January 9, 1970, the plaintiff filed with this Commission a document entitled "Petitioner's Requested Findings of Fact and Brief". The format of that document was not consistent with the requirements of the Commission's Policy Statement No. 104, dated December 23, 1968, prescribing the presentation of proposed findings of fact, argument, and brief.

By a motion filed with this Commission on January 16, 1970, the defendant moved that the plaintiff's proposed findings of fact and brief be stricken on the general ground that Policy Statement No. 104 requires rejection of proposed findings and brief which do not conform

to the format therein specified. The defendant further moved that the plaintiff be directed to file proposed findings and a brief which would comply with the Policy Statement. The plaintiff's answer in opposition to the motion was filed with this Commission on January 20, 1970, and the defendant's reply was filed on February 10, 1970.

The Commission's examination of the contested document discloses that in fact the plaintiff did not comply with Policy Statement No. 104 and that the presentation, as it now exists, is inadequate. The plaintiff shall within fifteen days from the date of this opinion and the accompanying order file proposed findings and a brief which do conform to the requirements of the said Policy Statement No. 104. Thereafter, the defendant shall file its response within the time period specified by the rules of this Commission.

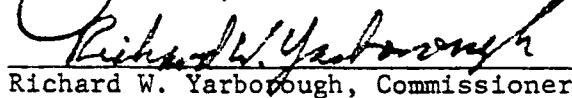
So ordered.



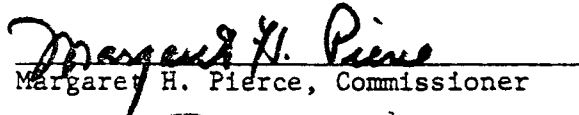
Jerome K. Kuykendall, Chairman



John T. Vance, Commissioner



Richard W. Yarborough, Commissioner



Margaret H. Pierce, Commissioner



Brantley Blue, Commissioner