

BEFORE THE INDIAN CLAIMS COMMISSION

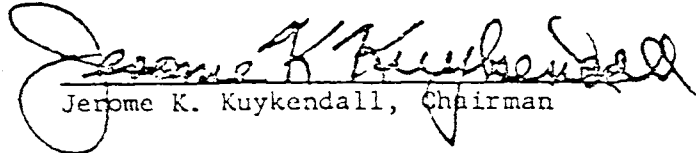
THE FORT SILL APACHE TRIBE OF THE)	
STATE OF OKLAHOMA,)	
)	
THE CHIRICAHUA APACHE TRIBE, Ex Rel.)	
SAM HAOZOUS, BENEDICT JOHZE,)	
JAMES KAYWAYKLA, ROBERT GOODAY,)	
DAVID CHINNEY,)	
)	
THE WARM SPRINGS APACHE BAND, Ex Rel.))	
SAM HAOZOUS, BENEDICT JOHZE,)	
RAYMOND JOHN LOCO,)	
)	
THE CHIRICAHUA APACHE BAND, Ex. Rel.))	
ROBERT GOODAY, DAVID CHINNEY,)	
CASPER CALIO,)	
)	
)	Docket Nos. 30-A and 48-A
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	


ORDER DENYING DEFENDANT'S "MOTION FOR REHEARING
AND RECONSIDERATION OF DATE OF TAKING"

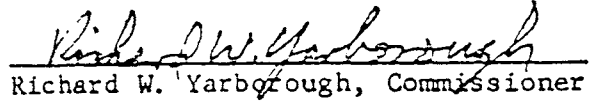
Upon consideration of defendant's motion as captioned above, filed herein on June 4, 1970, and the plaintiffs' response in opposition thereto, filed herein on June 12, 1970, the Commission has concluded that (1) said motion is not timely filed, nearly two years having elapsed between the Commission's determination of the applicable date of taking and the filing of said motion; (2) the defendant has failed to state any valid grounds under the Commission's Rules of Procedure or applicable decisions upon which said motion should be granted, and (3) the Commission's findings of fact with respect to the applicable "September 4, 1886" date of taking are supported by substantial evidence.

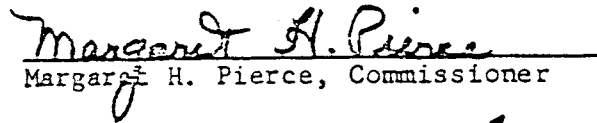
IT IS THEREFORE ORDERED, that defendant's "Motion For Rehearing And Reconsideration Of Date Of Taking" be and the same is hereby denied.

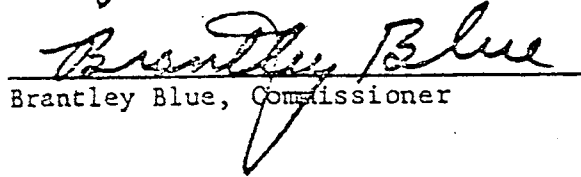
Dated at Washington, D. C., this 26th day of August, 1970.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner