

## BEFORE THE INDIAN CLAIMS COMMISSION

|                               |   |                  |
|-------------------------------|---|------------------|
| THE SIOUX NATION, et al.,     | ) | Docket No. 74    |
|                               | ) |                  |
| Plaintiffs,                   | ) |                  |
|                               | ) |                  |
| THE YANKTON SIOUX TRIBE,      | ) | Docket No. 332-C |
|                               | ) |                  |
| Plaintiff,                    | ) |                  |
|                               | ) |                  |
| v.                            | ) |                  |
|                               | ) |                  |
| THE UNITED STATES OF AMERICA, | ) |                  |
|                               | ) |                  |
| Defendant.                    | ) |                  |

ORDER DENYING MOTION TO STRIKE NOTICES OF APPEAL

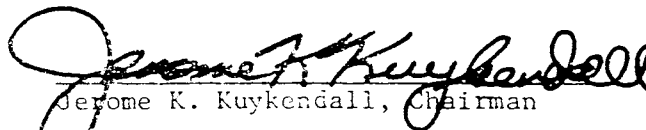
UPON CONSIDERATION of the motion to strike notices of appeal, filed by Docket 332-C plaintiff on June 7, 1972, the answer to said motion filed by Docket 74 plaintiffs on June 12, 1972, the response filed by Docket 332-C plaintiff on June 15, 1972, the "Sur Reply" filed by Docket 74 plaintiffs on June 19, 1972, and the response to the sur reply filed by the Docket 332-C plaintiff on June 19, 1972, and for the reasons stated in the opinion which accompanies this order,

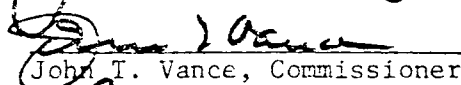
THE COMMISSION CONCLUDES AS A MATTER OF LAW that the notices of appeal filed herein by the Docket 74 plaintiff on May 26, 1972, and by the defendant on June 1, 1972, are premature, and as such do not divest the Commission of jurisdiction to decide the motions properly before it.

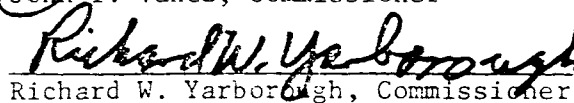
The Commission is therefore of the opinion that it can proceed in these dockets without striking the notices of appeal and that Docket 332-C plaintiff's motion to strike should be denied.

IT IS THEREFORE ORDERED that Docket 332-C plaintiff's motion to strike notices of appeal be, and the same is hereby, denied.

Dated at Washington, D. C., this 23<sup>rd</sup> day of June 1972.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

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Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner