

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

Cause No. CV-07-081-BLG-RFC-CSO

**RECEIVED**

**APR - 8 2008**

AMBER ANNETTE STONE,

Plaintiff,

CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS, MONTANA

Vs.


VINCENT KEITH BLACKHAWK

Defendant.

Pursuant to 28 U.S.C. 636(b)(1) I respectfully disagree with the information the United States Magistrate Judge Carolyn S. Ostby used in making her ruling. This was my fault as I was ignorant of what information was needed by the judge. I wish to exercise my right to object to the findings of the court and make additional facts known as the judge did not receive all the pertinent information about this case from me. I am no lawyer, and did not understand that the United States Magistrate Judge needed to know what other more local avenues I have taken to find justice in this case. In reference to the ruling dated April 1, 2008 I am providing the United States district Court with additional information and a plead that a district judge makes through de novo determination, a modification of the court's judgment and this case may yet be heard. Judge Ostby was not made aware that I have indeed exhausted all tribal remedies with regard to this claim and thus I am addressing the district court with this information as my last ditch effort to obtain justice. I understand that "considerations of comity require the exhaustion of tribal remedies before the claim may be addressed by the district court." Wellman, 815 at 578 (citing LaPlante, 107 S.Ct. at 2454). In this case a tribal court has attempted to handle this matter but has proved ineffective in dispensing justice. Please refer to the tribal court ruling in my favor and my efforts to return to tribal court to address the fact that the defendant has completely ignored the court and its rulings and gets away with it even today. Moreover I have learned that even though the tribal court granted me a ruling in my favor, the Bureau of Indian Affairs Lease Office, Social Security Administration and other off reservation forms of income the defendant has, will not be subject to or recognize a tribal court ruling and I can not garnish the defendants funds. I respectfully stand resolved that the United States District Court is the only place where I may receive

justice in this case and I have exhausted all tribal remedies. (All pleadings shall be so construed as to do substantial justice) Erickson, 127 S.Ct. at 2200; Cf. Fed. Rule Civ. I stand prepared to show that not only have I been adversely affected by the defendant in a land swindle but several other people I have come to find out were swindled with the same land previous to me and could not find remedy in the Crow Tribal Court system either. Additionally "a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers." Erickson, 127 S.Ct. at 2200; Cf. Fed Rule Civ. Proc. 8(f) Please excuse my omission of what was felt by the court to be pertinent information as I did not know what they did or did not require to make a ruling. Unless the U.S. Magistrate Judge agrees to hear this case I fear that by virtue of living on a reservation that I am not equally protected under the highest law of the land and the defendant will have successfully swindled me and will continue to knowingly swindle others aided by a veil of unclear jurisdictional issues and a dysfunctional tribal system. It begs the issue then of why should Native Americans pay federal taxes if they are not protected equally under the federal governmental law? Thank you in advance for your reconsideration to hear my case.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amber Annette Stone".

Amber Annette Stone  
04-07-2008

**IN THE CROW TRIBAL COURT  
IN AND FOR THE CROW INDIAN RESERVATION  
P.O. BOX 489  
CROW AGENCY, MONTANA 59022**

**CERTIFICATE OF MAILING**

**CIVIL CASE NO. 06-357**

I, *Sydney J Eastman*, in the position of *Civil Court Clerk*, in the Crow Tribal Court System do hereby verify a true and accurate copy of the **NOTICE OF ORDER** was sent to the following addresses:

**Amber Stone  
P.O Box 361  
Wyola, Montana 59089**

**Vincent K. Blackhawk  
P.O Box 125  
Wyola, Montana 59089**

**Jackie Yellowtail- Hare  
P.O Box 66  
Garryowen, Montana 59031**

Notice was placed in the mail depository in the UNITED STATES POST OFFICE at Crow Agency, Montana on the 31<sup>ST</sup> day of **MARCH 2008**.



*Sydney J Eastman*  
Clerk of Court, Crow Tribal Court

**IN THE CROW TRIBAL CIVIL COURT  
IN AND FOR THE CROW INDIAN RESERVATION  
P.O. BOX 489, CROW AGENCY, MONTANA 59022-0489  
(406) 638-4050**

Amber Stone, Petitioner,	)	<b>CIVIL CAUSE NO. 06-357</b>
	)	
vs	)	<b>ORDER</b>
	)	
Vincent K. Black Hawk, Sr., Respondent	)	
	)	

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A hearing was held on March 26, 2008, in the matter of the above-named parties. Present were Amber Stone, Petitioner; Alice Lion Shows, Advocate for Petitioner, Marina Stone, Grandmother of Amber Stone, and a member of Wyles family, cousin to Amber Stone, Sydney Eastman, Civil Court Clerk, *video camera was in use*. Vincent Keith Black Hawk, Sr., Respondent, and Jackie Yellowtail-Hare, Advocate for the Respondent were not present at the hearing.

Judge Julie Yarlott called the hearing to order. Based on the court hearing, the court herein enters the following:

**FINDINGS OF FACT**

1. Petitioner Amber Stone is a member of the Crow Tribe of Indians, and lives within the exterior boundaries of the Crow Indian Reservation.
2. Petitioner and Respondent and their Counsels were notified of the duly scheduled hearing scheduled for March 26, 2008.
3. Respondent Black Hawk, and his Counsel Jackie Yellowtail-Hare were not in attendance at the hearing. Their absence from the hearing was not explained to any of the court personnel nor to the Petitioner nor her Counsel.
4. For a variety of reasons this hearing has been continued, extending the resolve in this matter for an inordinate amount of time, therefore, this hearing should have been adjudicated, but for no defensible reason the Respondent and Counsel in this matter did not make a court appearance.
5. The Petitioner, by and through her Advocate, stated that the Court did summon the Petitioner and her Advocate, and the Court did summon the Respondent and his Advocate, and all by writ of law were mandated to attend this hearing. To not attend this hearing was an act of disobedience, and disrespect for the court's authority which is punishable by law. Both the

Respondent and his Advocate must be held in Contempt of Court to assure that future disrespect and disobedience of the court's authority will not happen again. The hearing was adjourned.

**CONCLUSIONS OF LAW**

1. The Crow Tribal court has jurisdiction of the subject matter §3-2-205 of this proceeding and personal jurisdiction §3-2-203 over the parties, CLOC.

**BASED ON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE COURT HEREIN ENTERS THE FOLLOWING:**

**ORDER**

**IT IS HEREBY ORDERED that:**

1. As the opposing parties were not in attendance during the duly scheduled hearing, a new **Show Cause** hearing for the purpose of determining whether or not the Respondent and his Advocate should or should not be charged with the offense of Contempt will be scheduled for April 11, 2008, @ 11 a.m., in the Crow Tribal Civil Court.

2. This Show Cause hearing is duly ordered, and all concerned parties will be summoned to attend. Failure to attend will initiate charges of contempt which is punishable by law.

**ORDERED, DONE AND DATED THE 31 DAY OF MARCH, 2008**

  
**JUDGE JULIE YARLOTT**

  
**CIVIL COURT CLERK**  
Case 06-357

