

**IN THE MUSCOGEE (CREEK) NATION
DISTRICT COURT
OKMULGEE DISTRICT**

DISTRICT COURT
FILED

2009 DEC 28 P 4:32

**MUSCOGEE (CREEK) NATIONAL
NATIONAL COUNCIL,**

and

**ROBERT TREPP, an individual Muscogee
(Creek) tribal citizen, and DOES 1-10,
Plaintiffs,**

VS.

**MUSCOGEE (CREEK) ELECTION
BOARD, A. D. ELLIS, in his capacity as
Principal Chief of the Muscogee (Creek)
Nation and MUSCOGEE (CREEK)
CONSTITUTIONAL CONVENTION
COMMISSION,
Defendants.**

Case No. CV-2009-211

JUDY JUKICH
COURT CLERK
MUSCOGEE (CREEK)
NATION

**NOTICE TO THE CHIEF JUSTICE OF THE SUPREME COURT
OF THE MUSCOGEE (CREEK) NATION
RECUSEMENT BY DISTRICT JUDGE**

Now, on this 28th day of December, 2009, in accordance with Muscogee (Creek) Nation Code Ann. Title 26, §§ 4-101; 4-102; 4-103; 3-102, The following are the details and specifics requiring the appointment of a Special District Judge.

1. The fact that the District Court Judge served as the Muscogee (Creek) Nation Supreme Court's appointee to the Muscogee (Creek) Nation Constitutional Convention Commission as required by the then effective Article IX Section 2 (d) Constitution of the Muscogee (Creek) Nation.

The District Court Judge is hereby recusing from the above styled case and

making this **NOTICE** to the Chief Justice of the Supreme Court of the Muscogee (Creek) Nation so the Chief Justice may select and a majority of the Supreme Court Justices may approve a Special District Judge in a written order detailing the specific duties of the Special District Judge and setting out a time limitation for the appointment in the above styled case.

Respectfully Submitted,



Patrick E. Moore

District Judge

CERTIFICATE OF MAILING AND DELIVERY

I, Jody Thornbrugh, Deputy District Court Clerk, do hereby certify that of this 28th day of December, 2009, I deposited in the United States Post Office, Okmulgee, Oklahoma, 74447 with First Class postage prepaid and by facsimile sent a true and correct copy of the foregoing Notice to the following:

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Deputy District Court Clerk
Jody Thornbrugh