

FILED

In the Office of the Court Clerk

**In the Court of Indian Offenses for the Comanche Nation
Anadarko, Oklahoma**

JUN 14 2012

Docket _____ Page _____ Recorded _____
 In Journal _____ on Page _____
 BY: WME
 Court Clerk/Deputy

In re: Recognition of Comanche Nation)
Business Committee, Tribal Administrator,)
)
 Comanche Nation,)
 Petitioner.)

Case No. CIV 12-054

**MOTION FOR SHOW CAUSE HEARING TO DETERMINE WHETHER MR. COFFEY
AND/OR MR. WAUQUA SHOULD BE FOUND IN CONTEMPT FOR VIOLATION OF
THE JUNE 7, 2012 INTERIM ORDER**

COMES NOW the Comanche Business Committee (consisting of Edward Eschiti, Robert Tippeconnie, Ronald Red Elk, Yonevea Terry, and Darrell Kosechequetah) and Robert Komacheet, Tribal Administrator (collectively "Movants"), each in their respective official capacities as recognized by this Court's Interim Order of June 7, 2012, by and through the undersigned counsel, to request that this Court immediately set a hearing for the purpose of determining whether Wallace Coffey and/or Johnny Wauqua should be found in contempt of Court. As grounds for this request, Movants state the following:

1. This Court has the inherent authority over any person within its jurisdiction to assure compliance with its orders, pursuant to Section 1 of the General Provisions, Rules of the Court of Indian Offenses (see also, *Ex Parte Robinson*, 86 U.S. 505 (1873); *Chambers v. NASCO, Inc.*, 501 U.S. 32 (1991)).
2. Wallace Coffey and Johnny Wauqua are each members of the Comanche Nation, and thus are each Indian, in accordance with 25 C.F.R. § 11.108, and are each persons over which this Court has both civil and criminal jurisdiction pursuant to 25 C.F.R. §§ 11.114 and 11.116.


3. This Courts' Interim Order issued June 7, 2012, recognized and declared Edward Eschiti, Robert Tippeconnie, Ronald Red Elk, Yonevea Terry, and Darrell Kosechequetah members of the Comanche Business Committee, and recognized and declared Robert Komacheet the Comanche Tribal Administrator.
4. On Friday, June 8th, the duly recognized Business Committee members met and began laying the ground work for addressing the financial challenges facing the Comanche Nation and to start a process to insure payment of liabilities as soon as practical. However, actions by Wallace Coffey and/or Johnny Wauqua in refusing to honor this Court's order are jeopardizing and thwarting the Business Committee's efforts, a well as the Court's intent through such order, to avoid irreparable harm to the Comanche Nation and its members.
5. Recognizing Mr. Wauqua's overt hostility towards the Business Committee members, they determined it may be better to allow Wallace Coffey to assume the Chairman's position in the expectation that Mr. Coffey would act with more prudence.
6. On June 11, 2012, at about 9:00 a.m., the Tribal Administrator and members of the Business Committee attempted to assume the lawful duties and responsibilities of their respective offices by peaceably entering the premises of the Comanche Tribal Complex (situated within Indian Country subject to the jurisdiction of this Court).
7. Comanche Nation Law Enforcement, in adherence to the directions of Wallace Coffey and/or Johnny Wauqua, **refused** to allow any of the Movants to enter the premises in order to assume their lawful duties.
8. Upon information and belief, Wallace Coffey, while publicly addressing the Movants, the media, and other persons present about this Court's Order, stated, "I recommend

that you go up to see Mr. Lujan and have him come down and enforce it himself." To which, Mr. Eschiti replied "We will do whatever it takes." Mr. Coffey responded "And if he's going to throw me in jail, so be it, that's what it takes. But at this point, I cannot recognize that order." Recalled CBC Six Appeals to Chairman (video), available at <http://www.ustream.tv/recorded/23253048> (last visited June 14, 2012).

9. Seemingly, the attorneys for Mr. Coffey and Mr. Wauqua have advised their clients they may disregard the effect of the Interim Order.
10. The proper functioning of Comanche Nation's government requires both a quorum of at least five (5) Comanche Business Committee members and immediate clarity regarding the status of its elected officials and its Tribal Administrator, and this Court's Interim Order provided that clarity.
11. Immediate consideration of whether this Court's Interim Order shall be honored is necessary to avoid additional irreparable harm and promote the proper administration of government.

WHEREFORE the Movants respectfully request the Court to immediately set a hearing as soon as it is convenient in order to address matters raised herein, to allow Mr. Coffey and/or Mr. Wauqua the opportunity to show cause why either or both them should not found in contempt of the Interim Order, to clarify the Court's intent and expectations, and to provide any additional relief deemed appropriate by the Court.

Respectfully Submitted,


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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2012, I served the above and foregoing document by pre-paid, U.S. First Class Mail and/or hand delivery upon the following:

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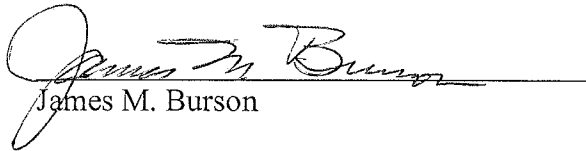
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