

IN THE NOOKSACK TRIBAL COURT OF APPEALS

Gabriel S. Galanda, pro se, Anthony S.
Broadman, pro se, and Ryan D. Dreveskracht,

Petitioners,

v.

Nooksack Tribal Court,

Respondent,

Nos. 2016-CI-CL-001 & 002

**RESPONSE RE: ORDER ON MOTION
TO ENFORCE CONTEMPT ORDER**

It has now been over five months since *pro se* Plaintiffs Gabriel S. Galanda, Anthony S. Broadman, and Ryan D. Dreveskracht first attempted to file their Complaint with the Tribal Court. They are no closer to justice than they were on March 24, 2016.

It appears that neither Nooksack Tribal Court Clerk Betty Leathers nor Police Chief Rory Gilliland have complied with this Appeals Court's July 25, 2016 Order. *See* Declaration of Gabriel S. Galanda in Support of Response Re: Order On Motion To Enforce Contempt Order ("Galanda Decl."), Ex. A. *Id.* The Clerk has not filed *Pro se* Plaintiffs' Complaint (Mar. 24, 2016), First Amended Complaint (May 25, 2016); nor has she set hearings on *Pro se* Plaintiffs' Motion For Injunctive And Declaratory Relief (Mar. 24, 2016), and Motion For Partial Summary Judgment (June 15, 2016). Neither has the Police Chief arrested the Clerk for disobeying repeated directives from this Court. *Id.*

With childlike fear in their hearts, both judicial officers remain in contempt.

In a related plot twist, Ray Dodge has returned to Nooksack.¹ As of June 13, 2016, Mr. Dodge is the new Nooksack Tribal Court Chief Judge.² See Galanda Decl., Ex. C. Given his repute, *see n.1, infra*, it is therefore no surprise that *pro se* Plaintiffs' lawsuit has continued to languish for the last two months.³ See *id.*, at 2, ¶5.

“Judge” Dodge should now be instructed by this Court to cause *pro se* Plaintiffs' Complaint to be filed, and to assign a Judge Pro Tem to adjudicate the suit. See *e.g. Yeransian v. Markel Corp.*, No. 14-0063, 2014 WL 4471576, at *4 (D. Neb. Sept. 10, 2014) (“The magistrate judge is ordered to progress this case.”); *State ex rel Charles v. State*, 414 So. 2d 387 (La. 1982) (“The trial judge is ordered to rule on defendant's motion.”); *State ex rel. Davidson v. Pigg*, 46 N.E.2d 237, 237 (Ind. 1943) (“[T]he petition for writ of mandate is granted and the incumbent judge is ordered to reinstate relator's petition, approve the undertaking and take such other steps as are required by the statute under the issues presented by the petition.”).

¹ Upon information and belief, Mr. Dodge architected *pro se* Plaintiffs' barring, disbarment, etc., on February 24, 2016; assisted with the termination of former Chief Judge Susan Alexander on March 28, 2016; and advised the Court Clerk *ex parte* that “a lawyer who is acting *pro se* is ‘practicing in tribal court’” and thus caused her to reject *pro se* Plaintiffs' Complaint by April 2, 2016—all before resigning in disgrace as Senior Nooksack Tribal Attorney on May 2, 2016. See *e.g.* Galanda Decl., Ex. F. *Nooksack Tribe fires judge and loses attorney in disenrollment crisis*, Indianz.com, May 4, 2016, available at: <http://www.indianz.com/News/2016/021223.asp?print=1>. While Quinault Nation Attorney General in 2012, Mr. Dodge was likewise involved with (a) precluding plaintiffs' counsel from completing litigation against a tribal defendant, for want of a tribal business license; and (b) terminating the Quinault Tribal Court Chief Judge. See *Pura v. Quinault Housing Authority*, No. CV-12-002, Opinion (Quinault Ct. App. 2013), at 4. These are plays from *his* playbook, which he executed at Nooksack only after he lost a series of voting rights motions before the former Chief Judge and this Appeals Court in January and February 2016.

² To the extent “Judge” Dodge was appointed by June 13, 2016 by the former Nooksack Tribal Council as contemplated by NTC 10.03.010—or at least the rendition of that code that *pro se* Plaintiffs' have seen—his appointment is null and void. See *Tageant v. Kelly*, No. 2016-CI-CL-003, Motion for Preliminary Injunction and Declaratory Judgment at 2 (Nooksack Tribal Ct. Apr. 25, 2016) (citing Nooksack Bylaws, Art. II, §4) (“The Tribal Council was required by law to conduct a general and primary election by March 19, 2016 for the purpose of electing new council members. The Tribal Council failed to do so. Four members of the Tribal Council's term of office expire[d] as of March 24, 2016 The Tribal Council cannot govern because there are only four validly elected members of the eight member body and they can only act if a quorum (five) of members exists.”); Nooksack General Council Resolution No. 16-001 (July 14, 2016) (“any decisions made by the purported Tribal Council since March 19, 2016 are hereby declared void *ab initio* . . .”). Still, for as long as he poses as Tribal Court Chief Judge, he should at least pretend to act honestly—or “the Washington State Commission on Judicial Conduct and the disciplinary authorities at the Washington State Bar Association” may have something to say about his antics. Galanda Decl., Ex. E.

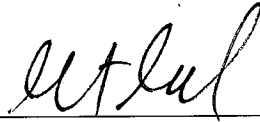
“Judge” Dodge also has the power to do conduct those ministerial acts. *See generally* NTC § 10.03.040(b) (“the court shall have the power to use reasonable means to protect and carry out its jurisdictions”; “the court may use any appropriate procedure that is fair and consistent with the spirit and intent of the tribal law . . .”); *Belmont v. Kelly*, No. CI-CL-007, Order Denying Defendants’ Motion For Reconsideration Of 1/26/16 Order Denying Defendants’ Motion For Injunction, at 17 n.1 (Nooksack Tribal Ct. Feb. 29, 2016) (citing NTC §§ 10.03.040(b) and (c)) (the court’s “inherent powers are ‘governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.’”) (citation omitted); Order On Motion To Enforce Contempt Order (Nooksack Ct. App. July 25, 2016) (announcing a general judicial “duty and responsibility to enforce the laws and constitution of the Nooksack Tribe.”). Indeed, “Judge” Dodge is ethically bound to do nothing less—and nothing more—given his rather acute ethical conflicts at bar. *See Galanda Decl.*, Ex. E.

This Appeals Court should also levy its threatened \$1,000-per-day fine against the Police Chief in keeping with its July 25, 2016 Order.

Most importantly, *Pro se* Plaintiffs implore this Court to issue a Writ of Prohibition in favor of Mr. Galanda and partial summary judgment in favor of Messrs. Broadman and Dreveskracht. *See id.*, at 3, ¶7. *Pro se* Plaintiffs deserve to get off of the legal merry-go-round that, at “Judge” Dodge’s childish instigation, schoolyard bully Bob Kelly and his browbeaten General Manager Katherine Canete have been spinning at Nooksack since February 24, 2016. *Id.*, Exs. B, F. The rest of the children in Nooksack office can stay on that ride; *pro se* Plaintiffs deserve off.

³ As are the various motions brought by *pro se* Plaintiffs’ former clients—now the “Nooksack 306” *pro se*

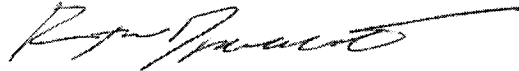
Respectfully submitted this 3rd day of August, 2016.



Gabriel S. Galanda, *pro se*



Anthony S. Broadman, *pro se*



Ryan D. Dreveskracht, *pro se*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of August, 2016, I served the foregoing by causing it to be mailed, postage prepaid, one copy to the following individuals:

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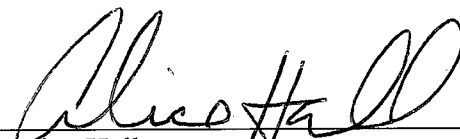
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