

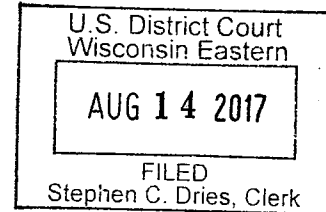
United States District Court  
Eastern District of Wisconsin

Felix Bruette Jr.  
(Plaintiff)

Case No. 17-CV-00286

vs.

U.S. Secretary of the Interior &  
Stockbridge- Munsee Community  
(Defendant)



Plaintiff's opposition to defendant's motion to dismiss.

The defendants state that the doctrine of res judicata, applicable statute of limitations, and for want of jurisdiction.,

The Plaintiff contends that he has alleged sufficient facts in the claim(s).

The Defendant's motion under res judicata, the plaintiff response,

"The central issue is not treaty, but the legal standing of an Indian Commi \ r by the  
Department of Interior in 1937, organized without regard to past Tribal Affiliation.

In Bruette v. Jewell, Case No. CV 1:14-00876-WCG, transcript pg. 51, line(s) 17, 21, February 13, 2015.

The Department of Interior Affirmed Plaintiff's a direct lineal descendant on the official roll of the  
Stockbridge- Munsee Tribe. Established by the 1856 Treaty, made in conformity of those provisions  
established by Congress on March 3, 1893.

As a direct lineal descendant, we take direct inalienable right to hold the same together with all rights,  
privileges, immunities, and appurtenance of what so ever nature (in all rights and property) established  
under the treaties with the Stockbridge- Munsee Tribe, and the United States Government.

The defendant's motion under applicable statute of limitations. The plaintiff response date of discovery  
was on 08/24/15, Case No. 1:14-CV-00876-WCG, pg. 1, Document No. 27.

Plaintiff motion on petition for Writ of Certiorari, date August 29, 2016. The defendants motion for want  
of jurisdiction, the plaintiff response, Federal question jurisdiction powers the court jurisdiction."

Motion to dismiss Standard

- A. (In Ferrill v. City of Milwaukee), Only if it is clear that no relief could be granted under any set of  
facts that could be proved consistent with the allegations." Hishon v Kig & Spalding, 467 U.S. 69,  
79, 104 S.Ct. 2229, 81 L.E.D. 2d 59 (1984) Conley v. Gibson, 355 U.S. 41, 45, 46 (1957).

B. The evidence is such that a reasonable jury could return a verdict for the nonmoving party, *Anderson v. Liberty, Inc.* 477 U.S. 242, 248. 106 S. Ct. 2505, 91 L.E.D 2d 2302 (1986)

The Plaintiff's response to Bell Atlantic v. Twombly, 550, U.S. 544, (2007)

"There must be sufficient facts in a complain to state a claim to relief that is plausible on its facts."

The Plaintiff has sufficient facts of

"Misrepresentation of a legal standing of an Indian Community of a Historical Tribe. Indian Civil Rights Violations under Section (8) of said act, "Equal due process and equal protection of law." The department of interior by eliminating enrollment into Indian Community under Article III of the Constitution by authority of an ordinance, is a discrimination against Indian people to be members by Article III of the Stockbridge- Munsee constitution."

### Conclusion

The Plaintiff's complaint & exhibits are sufficient facts, and the court must deny the defendants motion to dismiss.

The relief the plaintiff seeks are within the power of the Federal Court

Respectfully,

Felix Bruette Jr.

Note: On August 12, 2017, the Plaintiff was advised by Indian Community Police Officer Mr. Hoffman, that he was told by members of the council and the legal department, of the Indian Community, that the plaintiff has no treaty rights within the boundaries of their Community and if Plaintiff is seen by Family's burial grounds (located within the boundaries of the Indian Community) that plaintiff is to be given a citation for Trespassing.

Date: August, 13, 2017

Felix Bruette Jr./  
Plaintiff

A handwritten signature in cursive script, appearing to read "Felix Bruette Jr.", written in dark ink.

### Violations of the 1940 Ordinance

1. Eliminates due process under Article III of the constitution (denying Indian Applicants) entitled under Article III, equal due process and protection of the constitution.
2. Restores 1871 roll without Restoration Act (Congress terminated) 1871 roll under sections II 27 Stat 744. March 3, 1893, in fee simple in severalty.
3. Tax exemption, in conflict with constitution. Tax exemption by authority of an ordinance.
4. Indian Civil Rights Act, Section 8 Equal Due Process and Equal Protection of Law 25 USC 1301, 1304.

### Plaintiff's Relief

1. The court has the authority to reaffirm Plaintiff's Legal standing as a direct descendant on the official roll of the Historic Stockbridge-Munsee Tribe, by the treaty of February 5, 1856. The Department of Interior affirmed plaintiffs legal standing (case no. CV 1:14-00876- WGC, Transcript pg.51, Line 17, 21). Feb 13, 2015.
2. Determine Legal standing of Stockbridge- Munsee Indian Community
3. The court has the authority to order the Secretary of the Interior to be in compliance of Article III, Section 1, 2, and 3 of the Stockbridge- Munsee Constitution.
4. Plaintiff seeks declaratory, punitive, and compensatory damages.

Respectfully,

Felix Bruette Jr.  
(Plaintiff)  
August 14, 2017

A handwritten signature in black ink, appearing to read 'Felix Bruette Jr.', written over a faint circular stamp.