

CHEYENNE RIVER SIOUX TRIBAL COURT) SUPERIOR COURT
CHEYENNE RIVER SIOUX TRIBE : SS
CHEYENNE RIVER INDIAN RESERVATION) Eagle Butte, SD

CHEYENNE RIVER SIOUX TRIBE,) Case No: 23044
Plaintiff,)
v.) EMERGENCY EXCLUSION ORDER
SARAH SCHAFF, CINDY LINDSKOV,) FOR SARAH SCHAFF, CINDY
AND KEITH FODNESS,) LINDSKOV, AND KEITH FODNESS
Defendants.)
)

The above-entitled matter came before the Court this 18th day of August 2023, pursuant to the Emergency Petition for Exclusion and Removal of Sarah Shaff, Cindy Lindskov, and Keith Fodness from the Cheyenne River Sioux Indian Reservation filed by the Plaintiff on this 18th day of August 2023.

Pursuant to the Petition for Emergency Exclusion Pursuant to the Tribal Law and Order Code, Sections 11-1-4 and 11-1-5 and attached exhibits, the Court makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

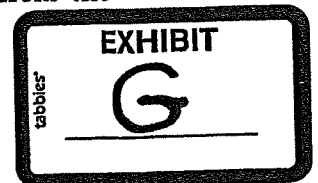
IT IS HEREBY FOUND that the Defendants Sarah Schaff, Cindy Lindskov, and Keith Fodness, have violated the laws, terms, and conditions of the social contract under which non-Tribal members of the Cheyenne River Sioux Tribe are afforded the privilege of entering the exterior boundaries of the Cheyenne River Sioux Tribe.

IT IS HEREBY FOUND that the Defendants' actions upon the Reservation affect the health, safety, and welfare of Tribal members by conduct identified in the Emergency Petition for Exclusion and Removal and accompanying exhibits represent "harm to the peace, health, safety, moral, and general welfare of the Tribe [and] its members." Law & Order Code, Section 11-1-3(b); and

IT IS HEREBY FOUND that the Defendants' conduct has created "an immediate need [for the Court] to order the exclusion and/or removal of [the Defendants] from the reservation." Law & Order Code, Section 11-1-5(1); and

IT IS HEREBY FOUND that the granting of notice and opportunity to be heard to the Defendants prior to the making of such Order would cause a delay seriously detrimental to the interests of the Tribe and its members. Law & Order Code, Section 11-1-5(1); and

IT IS HEREBY FOUND that the Defendants' conduct constitutes and emergency requiring that the Defendants be excluded and/or removed from the



IT IS HEREBY FOUND that the Defendants' conduct constitutes an emergency requiring that the Defendants be excluded and/or removed from the Cheyenne River Sioux Indian Reservation without a hearing pursuant to the Law & Order Code, Section 11-1-5.

Based upon the findings, the Court concludes as a matter of law that it has personal and subject matter jurisdiction in this matter and enters its Order according,

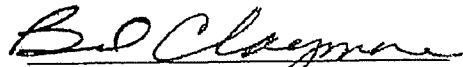
IT IS HEREBY ORDERED that the Defendants are notified herein that in light of their conduct, an exigent circumstance exists on the Reservation and that the Defendants shall be excluded and/or removed from the Reservation forthwith until a hearing can be held by this Court within two (2) weeks of the receipt of this Petition seeking such a hearing from the Court, or at such other date the Court shall order consonant with the Law & Order Code, Section 11-1-5(3), and it is

FURTHER ORDERED that upon the Defendants' compliance with this Order, they may immediately petition the Tribal Court for a hearing to reconsider the Order, they may be represented by counsel at such hearing, and present evidence in their own defense, and it is

FURTHER ORDERED that the Defendants may be excluded and/or removed from the Reservation immediately, by any Tribal or Federal Law Enforcement Officer, because of their conduct in violation of Tribal Law affecting the health, safety, and life of Tribal members.

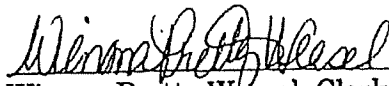
IT IS SO ORDERED this 18th day of August 2023.

BY THE COURT:



Brenda Claymore, Chief Judge
CHEYENNE RIVER SIOUX TRIBE

ATTEST:


Winona Pretty Weasel, Clerk of Court
CHEYENNE RIVER SIOUX TRIBE

(SEAL)



Clerk of the
Cheyenne River Sioux Tribal Court, do
hereby certify that the foregoing is a true,
correct and complete copy of the instrument
herewith set out as appears on file and of
record in my said office.

Date this 21st day of Aug, 2023

Clerk, Cheyenne River Sioux Tribal Court

By WAW