

IN THE CROW TRIBAL CIVIL COURT
IN AND FOR THE CROW INDIAN RESERVATION
P.O. BOX 489, CROW AGENCY, MONTANA 59022
(406) 638-7400

IN RE THE MATTER OF:

CIVIL CASE NO. 22-164

BLOSSOM OLD BULL, Personal
Representative of the Estate of Braven
Glenn,

CIVIL SUMMONS

Plaintiff(s),

PAMELA SUE KLIER and DOES 1-9 ,
Defendant(s).

TO: Pamela Sue Klier , the above-named RESPONDENT(S),

YOU ARE HEREBY SUMMONED to answer the CIVIL COMPLAINT that was filed in the Crow Tribal Court, a copy of which is herewith served upon you. You have FIFTEEN (15) calendar days to respond after you receive service of this Summons (the day of service shall not be included). If the 15th day shall fall on a Saturday, Sunday, or Legal Holiday, the period shall end on the next day that does not fall on one of these dates.

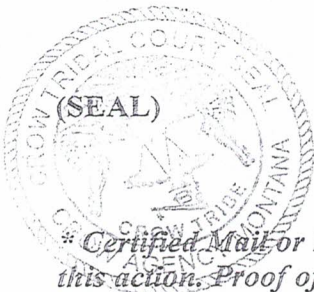
To respond to the Petition, you must do so by:

1. A written answer or by filing an appropriate motion;
2. Serve a copy of the answer or motion upon the Petitioner or Petitioner's counsel;
and
3. File your answer or motion, and proof that you served a copy upon the Petitioner, with the Clerk of this Court.

Address for Plaintiff's Counsel:
Timothy Bechtold
P.O. Box 7051
Missoula, MT 59807

YOUR FAILURE TO APPEAR, DEFEND, AND ANSWER WITHIN THE TIME SET FORTH ABOVE MAY CAUSE A JUDGMENT BY DEFAULT TO BE RENDERED AGAINST YOU FOR THE RELIEF DEMANDED BY THE PLAINTIFF, pursuant to Title 5 Rule 4(b) of the Crow Law and Order Code.

SUMMONS issued this 5th day of January, 2023.



CLERK OF THE CROW TRIBAL COURT

* Certified Mail or hand-delivered by a party who is at least 18 years of age and not a party to this action. Proof of service must be filed with the Court Clerk.

Exhibit 1

FILED

Date: 1.8.23

Time: _____

By: [Signature]

Penelope Strong
PENELOPE STRONG LAW OFFICE
2517 Montana Ave.
Billings, MT 59101
406-839-9220
ps18rabbits@gmail.com

Timothy M. Bechtold (phv)
BECHTOLD LAW FIRM, PLLC
P.O. Box 7051
Missoula, MT 59807
406-721-1435
tim@bechtoldlaw.net

Attorneys for Plaintiff

IN THE CROW TRIBAL CIVIL COURT
IN AND FOR THE CROW INDIAN RESERVATION
P.O. BOX 489, CROW AGENCY, MONTANA, 59022

BLOSSOM OLD BULL, Personal)	Civil Case No. 22-164
Representative of the Estate of Braven)	
Glenn,)	FIRST AMENDED
)	COMPLAINT
Plaintiff,)	
)	
v.)	
)	
PAMELA SUE KLIER and DOES 1-9,)	
)	
Defendants.)	
)	

INTRODUCTION

1. Blossom Old Bull is an enrolled tribal member of the Lower Brule Indian Tribe and a citizen of the State of Montana. She is the surviving mother and personal representative of the Estate of Braven Glenn, who died in a vehicle crash

on November 24, 2020, when Crow tribal police, including Defendant Klier, pursued him at high speeds.

2. This Court has jurisdiction over this cause of action pursuant to 3-2-205 of the Crow Law and Order Code because the claim arises from conduct that occurred within the exterior boundaries of the Crow Reservation.

3. Plaintiff Blossom Old Bull is the Personal Representative of the Estate of Braven Glenn and is a citizen of the State of Montana and a resident of Crow Agency, Montana. Braven Glenn was an enrolled member of the Crow Tribe.

4. At all times relevant to this lawsuit, Defendant Klier was employed as a law enforcement officer by the Crow tribe.

5. Defendants Does 1-9 are individuals whose true identities and capacities are as yet unknown to Plaintiff and her counsel, despite diligent inquiry and investigation, and who acted herein as described more particularly below in connection with the breaches of duties and/or violations of law alleged here and who in some manner or form not currently discovered or known to Plaintiff may have contributed to or be responsible for the injuries alleged here. The true names and capacities of the Doe Defendants will be substituted as they become known.

FACTUAL ALLEGATIONS

6. On November 24, 2020, Defendant Klier attempted to stop Braven Glenn, 17-year-old son of Blossom Old Bull, for expired tags on his vehicle.

7. Braven Glenn did not stop, and Defendant Klier pursued him at high rates of speed.

8. While being pursued by law enforcement several miles north of Crow Agency on I-90 on the Crow Indian Reservation, Braven Glenn's vehicle left the roadway and crashed into a moving train.

9. Braven Glenn died at the scene of the crash.

10. Law enforcement pursued Braven Glenn at excessive, unwarranted, and unsafe rates of speed.

11. Law enforcement's pursuit of Braven Glenn was unwarranted.

12. Around 10:00 pm on November 24, 2020, BIA Officer Jose Figueroa Jr. came to Blossom Old Bull's home and informed Keenan Roth, Braven's brother, that officers had "clocked" Braven driving in excess of the speed limit and initiated a car chase that at times exceeded 90 miles per hour.

13. On Braven's death certificate, the time of injury is 6:57pm.

14. Officer Figueroa told Blossom's family that Braven drove head on into a train and his vehicle caught on fire.

15. The officer told the family there was another person involved in the crash named Emmett "Trey" Old Bull III, and that Braven's body had been taken to the Bullis Mortuary in Hardin.

16. On November 25, 2020, Blossom went to the Bullis Mortuary at 10:00 am.

Terry Bullis told Blossom that Braven had been chased by the police and collided

with a train in Benteen, Montana, and that, “The vehicle was dragged by the train for a mile and was derailed and caught on fire.”

17. Terry Bullis’ spouse told Blossom that Braven had been ejected from the vehicle before the vehicle caught on fire, and that, “His body was okay because he was ejected from the vehicle.”

18. Blossom was not allowed to see Braven’s body, which had been transported to Missoula for an autopsy.

19. Braven had survived the crash and had been ejected from the vehicle, but law enforcement officers did not provide any medical attention to Braven, and prevented other people from providing medical attention to Braven.

20. Braven had screamed and cried out for help for 30 minutes after the crash, but law enforcement officers prevented people from approaching or helping Braven.

21. On January 27, 2021, Blossom received a call from Daryl Nordquist, the Big Horn County Coroner, who told Blossom that he had Braven’s toxicology report.

22. Nordquist told Blossom that Braven’s BAC was .142 and stated that this was “twice the legal limit.” Nordquist also told Blossom that Braven had THC level of 8.5 +- -1.1.

23. On March 25, 2021, Big Horn County Ambulance Director Daniele O’Banion told Blossom’s family that the BIA had called dispatch for an ambulance for Braven, but then cancelled the ambulance.

24. This suit seeks money damages as compensation for the injuries and death that were caused by the negligent and wrongful acts and omissions of employees of the Crow tribal police acting within the scope of their office and employment.

25. Defendant Klier's and Defendant Does' employer is liable for their actions as alleged in this Complaint, as they were acting in the course and scope of their employment.

26. While acting under the color of law, Defendant Klier and Defendant Does subjected Braven Glenn to deprivation of rights.

27. Defendant Klier and Defendant Does acted with deliberate indifference to the substantial risk of serious harm to Braven Glenn.

28. The acts of Defendant Klier and Defendant Does shock the conscience and offend the community's sense of fair play and decency, and resulted in harm to Braven Glenn.

29. At all times pertinent, Defendants were subject to a duty of care under law to protect Braven Glenn's constitutional, statutory, and common law rights.

Defendants breached the applicable standards of care, including negligent violation of Braven Glenn's constitutional, statutory, and common law rights, and negligent performance of official duties.

30. The conduct of Defendant Klier and Defendant Does caused the wrongful death of Braven Glenn.

**COUNT 1
INDIVIDUAL LIABILITY**

31. Plaintiff hereby incorporates all previous paragraphs.

32. At all times in which they interacted with Braven Glenn on or about November 24, 2020, Defendant Klier and Defendant Does acted under color of law, statutes, ordinances, rules, regulations, customs, policies, practices, and/or usages of the Crow Tribal Police.

33. At all times in which they interacted with Braven Glenn on or about November 24, 2020, Defendant Klier and Defendant Does acted within the course and scope of their employment.

34. Defendant Klier and Defendant Does, while acting under color of law, deprived Braven Glenn of his civil rights under the Fourth Amendment.

35. Defendant Klier and Defendant Does, while acting under color of law, deprived Braven Glenn of his civil rights under the Fourteenth Amendment to due process of law.

36. The acts and omissions of Defendant Klier and Defendant Does, while carried out under color of law, have no justification or excuse in law, and instead constitute a gross abuse of governmental authority and power, shock the conscience, are fundamentally unfair, arbitrary and oppressive, and unrelated to any activity in which governmental officers may appropriately and legally undertake in the course of protecting persons or property, or ensuring civil order.

The above acts and omissions were consciously chosen from among various alternatives.

37. Each of the foregoing acts and/or omissions in this Count directly and proximately caused or contributed to Braven Glenn's constitutional deprivations, injuries, and damages. Braven Glenn suffered great mental and physical pain and wrongful death, and he sustained damages in a sum to be determined at trial.

COUNT 2 ENTITY LIABILITY

38. Plaintiff hereby incorporates all previous paragraphs.

39. The Crow Tribal Police established policies, customs, and practices that caused the violation of Braven Glenn's rights under the United States Constitution.

40. The policies, customs, and practices implicitly or explicitly adopted by the Crow Tribal Police amounted to deliberate indifference to and conscious disregard of Braven Glenn's constitutional rights and ratification of violation of those rights.

41. Defendant Klier and Defendant Does were not properly trained or supervised, and these failures to train and supervise Defendant Does were the moving force behind these constitutional violations.

42. These constitutional violations were acts of official governmental policies.

43. Each of the foregoing acts and/or omissions in this Count directly and proximately caused or contributed to Braven Glenn's constitutional deprivations,

injuries, and damages. Braven Glenn suffered great mental and physical pain and wrongful death, and he sustained damages in a sum to be determined at trial.

**COUNT 3
NEGLIGENCE**

44. Plaintiff hereby incorporates all previous paragraphs.

45. At all times in which they interacted with Braven Glenn on or about November 24, 2020, Defendant Klier and Defendant Does acted within the course and scope of their employment.

46. At all times pertinent to this Complaint, Defendant Klier and Defendant Does were subject to a duty of care in the exercise of the police function to protect Braven Glenn's constitutional, statutory, and common law rights. The conduct of Defendants as set forth in this Complaint does not comply with the standard of care, and included negligent pursuit; negligent training, supervision and discipline of law enforcement officers; negligent enactment, enforcement, and violation of law enforcement policies and procedures; negligent violation of Braven Glenn's constitutional, statutory, and common law rights; and negligent performance of official duties.

47. Defendant Klier and Defendant Does negligently failed to provide necessary and timely medical aid to Braven Glenn.

48. As a direct and proximate result of Defendants' negligence, Braven Glenn suffered injuries and death.

COMPENSATORY DAMAGES

49. As a direct result of Defendants' unlawful conduct, Braven Glenn suffered violations of his rights as set forth above.

50. As a direct and proximate result of Defendants' unlawful conduct, Braven Glenn suffered physical and emotional pain and injuries and death.

51. Plaintiff should receive lawful damages as follows:

- A. For the wrongful death of Braven Glenn and the loss of economic and family support, expected future earnings, as well as the companionship, affection, society, consortium, comfort, and services he provided to his family;
- B. For Braven Glenn's mental anguish, pain, and suffering before he died;
- C. For Braven Glenn's funeral and burial costs.

ATTORNEYS' FEES

52. Plaintiff is entitled to recover reasonable attorneys' fees for violations of constitutional rights.

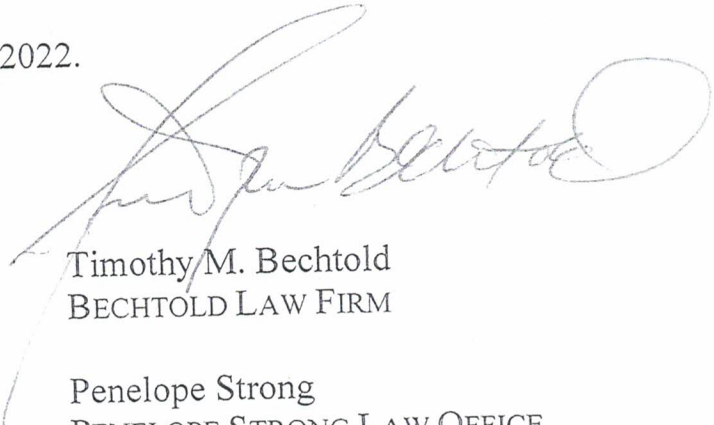
RELIEF

WHEREFORE, Plaintiff respectfully requests this Court to grant the following relief:

1. For damages in a reasonable amount to compensate Plaintiff fully for deprivation of Braven Glenn's constitutional rights;

2. For damages in a reasonable amount to compensate Plaintiff fully for Braven Glenn's injuries and death;
3. For attorneys' fees;
4. For reimbursement of costs and expenses of suit; and
5. For such further relief as the Court deems fair and just.

Dated this 29th day of December, 2022.



Timothy M. Bechtold
BECHTOLD LAW FIRM

Penelope Strong
PENELOPE STRONG LAW OFFICE

Attorneys for Plaintiff

IN THE CROW TRIBAL CIVIL COURT
IN AND FOR THE CROW INDIAN RESERVATION
P.O. BOX 489, CROW AGENCY, MONTANA, 59022

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BLOSSOM OLD BULL, Personal)	Civil Case No. 22-164
Representative of the Estate of Braven)	
Glenn.)	FIRST AMENDED
)	COMPLAINT
Plaintiff,)	
)	
v.)	
PAMELA SUE KLIER and DOES 1-9,)	
)	
Defendants.)	
)	

ANSWER OF PAMELA SUE KLIER

COMES NOW Pamela Sue Klier, Defendant in this matter, and hereby denies all allegations of every nature made against me in the First Amended Complaint filed by the Plaintiff in this matter.

Defendant Klier further informs the Court that she has been unable to obtain counsel as of this date and requests the opportunity to supplement her answer after she obtains counsel.

WHEREFORE, Defendant Klier prays the Court deny the Plaintiff's request for relief and that the Plaintiff take nothing thereby.

OPPOSING COUNSEL has no Objection to this request for ten (10) day extension. Original time for Response was January 30, 2023. (See attached email from Timothy Bechtold, Attorney-at-Law). Neither party will be prejudiced in any manner by this Extension to February 9th, 2023.

DATED this _____ day of January, 2023

Pamela Sue Klier, Defendant
PO Box 472 Ranchester, WY 82839
(307) 752-2728

Crow Court, on basis of good cause and in the interest of justice, re-set Case No. 22-164 to the following date of February ____ 2023. All parties are ordered to appear at this time, fully prepared to present their respective arguments.

Certificate of Service

I hereby certify that the forgoing pleading was served on January _____, 2023 as follows:

Crow Tribal Civil Court (US MAIL)
In and For The Crow Indian Reservation
PO Box 489
Crow Agency, MT 59022

Timothy Bechtold (US MAIL)
PO Box 7051
Missoula, MT 59801

Pamela Sue Klier

Pamela Klier, Officer
PO Box 472
Ranchester, Wyoming 83839
(307)752-2728
pamklier@yahoo.com

FEB 06 2023

CROW TRIBAL COURT
IN AND FOR THE CROW RESERVATION
CROW AGENCY, MONTANA 59022

IN THE MATTER OF

CASE NO. 22-164

**BLOSSOM OLD BULL, Personal
Representative of the Estate of Brave
Glenn,**

Plaintiff

v.

**PAMELA SUE KLIER and DOES 1-9,
Defendant(s)**

MOTION TO DISMISS WITH PREJUDICE

COMES NOW Pamela Sue Klier and Does 1-9 praying the Crow Tribal Court to Dismiss with Prejudice the above cited and so-named Case for the following good cause:

1. **FIRST AMENDED COMPLAINT** was filed by attorney-at-law Timothy M. Bechtold, signatory, January 5, 2023, and Penelope Strong, also attorney-at-law, unsigned, on January 5, 2023;

2. Complaint is based on incident which allegedly occurred November 24, 2020;
3. CLOC TITLE 5 RULE 27 clearly states that except for judgements, that is, Orders issued previously by the Crow Tribal Court, "...All other actions shall be commenced within two (2) years of the date the cause of action arose."
4. Plaintiff and her Attorneys-at-Law exceeded the two (2) year limit by forty-two (42) days according to Filing Stamp on Front Page of Petition;

This RULE 27 is crystal clear. There are no exceptions, exemptions, or any other avenue around the two (2) year limitation to file Cause such as present Case 22-164. There is no Grandfather Clause. The case does carry (20)22 prefix, but reality is that said Case was filed and commenced on January 5th, 2023. Only service was accomplished by Sheridan County, State of Wyoming, Deputy, hand-delivered on or about January 17th, 2023. While the forty-two (42) days cited above are specific to this Case, the amount of time exceeded is not addressed by RULE 27, so that if a Petitioner filed one (1) minute after two (2) years had elapsed, the filing is null and void.

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TITLE 5 RULE 27 cannot be ignored and allow petitioners to exceed the time limits enacted by the People of the Crow Tribe through their lawfully elected representatives, senators of the legislature, and signed by Tribal Chairman.

WHEREFORE, Respondent Pamela Sue Klier and Does 1-9 respectfully pray that the Crow Tribal Court Dismiss with Prejudice the cited Case 22-164 for good cause and in the interest of justice due to filing exceeded the two (2) year limit specified in CLOC TITLE 5 RULE 27.

I, Pamela Sue Klier, do appear herein *pro se* as no Attorney-at-Law or Advocate has responded to my requests for Legal Representation. I therefore humbly ask the Court to interpret my Motion with liberality and in the interest of justice.

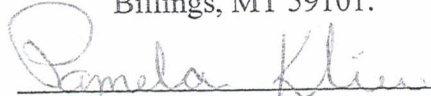
Attached is Certification of Service on Mr. Bechtold and Ms. Strong by Certified Return Receipt Mail and e-filed to their respective addresses.

Submitted this 4 day of February 2023 by 
Pamela Sue Klier, Respondent

PAGE 3

I, Pam Klier, Respondent in Case No. 22-164, hereby certify that I mailed above Motion to Dismiss with Prejudice to the following Attorneys-at-Law for Plaintiff on 6th day of February 2023, Certified Return Receipt First Class Mail, from USPS, Ranchester, WY 82839:

1. Timothy Bechtold; BECHTOLD LAW FIRM, PLLC, PO Box 7051, Missoula, MT 59807;
2. Penelope Strong, PENELOPE STORNG LAW OFFICE, 2517 Montana Avenue, Billings, MT 59101.



Pam Klier, Respondent


(Witness)

Penelope Strong
PENELOPE STRONG LAW OFFICE
2517 Montana Ave.
Billings, MT 59101
406-839-9220
ps18rabbits@gmail.com

Timothy M. Bechtold (phv)
BECHTOLD LAW FIRM, PLLC
P.O. Box 7051
Missoula, MT 59807
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tim@bechtoldlaw.net

Attorneys for Plaintiff

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BLOSSOM OLD BULL, Personal)	Civil Case No. 22-164
Representative of the Estate of Braven)	
Glenn,)	PLAINTIFF'S RESPONSE
)	TO MOTION TO DISMISS
Plaintiff,)	
)	
v.)	
)	
PAMELA SUE KLIER and DOES 1-9,)	
)	
Defendants.)	
)	

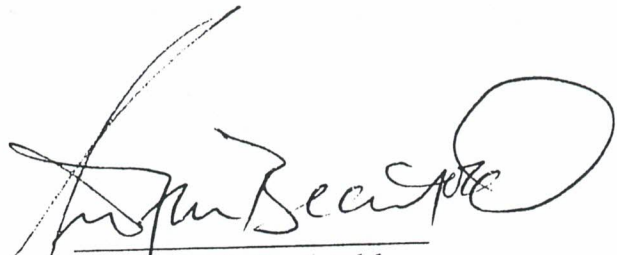
Defendant Pamela Klier served an Answer in this matter on January 28, 2023, and later served a Motion to Dismiss on February 6, 2023, and received by Plaintiff's counsel on February 10, 2023. Defendant Klier argues that the First Amended Complaint in this matter was not timely filed and must be dismissed

pursuant to CLOC Title 5, Rule 27. Defendant Klier argues that because the First Amended Complaint was filed on January 5, 2023, and she was served on January 17, it was untimely.

Pursuant to CLOC Title 5, Rule 7, Defendant Klier was obligated to file any motion for lack of jurisdiction incorporated in her Answer, which she did not. The failure to include her motion in her Answer deemed all such motions waived. See CLOC Title 5, Rule 7.

The Court must deny Defendant Klier's Motion to Dismiss and allow this matter to proceed.

Dated February 24, 2023.



Timothy M. Bechtold
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I certify that I served the foregoing on February 24, 2024, via first class mail upon the following:

PAMELA SUE KLIER
PO Box 472
Ranchester, WY 83839



IN THE CROW TRIBAL COURT
IN AND FOR THE CROW INDIAN RESERVATION
P.O. BOX 489, CROW AGENCY, MONTANA 59022
(406) 638-7400

<p>IN RE THE MATTER OF:</p> <p>BLOSUM OLD BULL, Personal Representative of the Estate of Braven Glenn,</p> <p style="text-align: right;">Petitioner,</p> <p>VS</p> <p>PAMELA SUE KLIER and DOES 1-9,</p> <p style="text-align: right;">Respondent.</p>	<p>CIVIL CASE NO. CV 22-164</p> <p style="text-align: center;">ORDER</p>
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A Civil Complaint was filed in this Court on January 5, 2023 by Petitioner, Personal Representative of the Estate of Braven Glenn. A copy of the complaint and civil summons was mailed to Attorney Timothy Bechtold by U.S. Mail on January 5, 2023. The Respondent Pamela Sue Klier filed a motion (Pro Se) to dismiss with prejudice on February 6, 2023.

Based upon the foregoing the Court hereby enters the following:

ORDER


IT IS HEREBY ORDERED THAT:

- 1. THE ABOVE-ENTITLED CASE IS HEREBY DISMISSED WITH PREJUDICE.**
- 2. THE CIVIL COMPLAINT FILED EXCEEDED THE TWO (2) YEAR LIMIT FROM THE DATE OF THE CAUSE OF ACTION AS SPECIFIED IN CLOC TITLE 5 RULE 27.**

ORDERED, DONE AND DATED THIS 1st DAY OF MARCH 2023.



Julia Covers Up, Civil Clerk


Julie Yarlott, Associate Judge