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Attorney for Petitioner

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

RYNE MATHIAS

Plaintiff,

and

JAMIE BALDWIN,

Defendant.

Cause No. CV-25-217-M-KLD

**REPLY TO OPPOSITION TO MOTION
FOR REMAND**

Plaintiff Ryne Mathias, through his attorney, Justin Kalmbach of Kalmbach Law Office, PLLC, replies to Ms. Baldwin's opposition to his underlying Motion to Remand this matter back to the Tribal Court for CSKT.

Ms. Baldwin alleges that this Court has jurisdiction under 28 U.S.C. §1443 as a civil rights removal. See *generally* Notice of Removal (Doc. 1). Ms. Baldwin acknowledges that 28 U.S.C. §1443 applies exclusively to state

courts and asks this Court to treat this case as one of first impression. (Doc. 1 at ¶¶ 19, 20, and 25).

This court was faced with a similar request in Sarah McClure and Colton Wheeler v. Michael W. Futrell and Lost Boys Construction, CV-25-210-M-KLD. The Court declined to do so because removal would violate the statutory text of section 1443 and would constitute improper removal. Id. at Doc. 10 *citing* Guam v. Landgraf, 594 F.2d 201, 202 (9th Cir. 1979). Mr. Mathias respectfully requests that the Court take judicial notice of CV-25-210-M-KLD pursuant to F. R. Evid. 201.

Guam dictates the same result in this case. As 28 U.S.C. §1443 does not permit removal from Tribal Courts, this Court does not have subject matter jurisdiction.

Accordingly, Mr. Mathias respectfully requests that the Court remand this matter back to the CSKT Tribal Court as it lacks subject matter jurisdiction.

RESPECTFULLY submitted this 27th day of January, 2026.

Kalmbach Law Office, PLLC

/S/ Justin Kalmbach

Justin Kalmbach

CERTIFICATE OF COMPLIANCE

Justin Kalmbach of Kalmbach Law Office, hereby certifies that this document complies with L. R. 7.1. The document is double spaced, 14-point Arial font. The word count is 235. This calculation excludes the caption, certificate of compliance, proposed order, and certificate of service.

/s/ Justin Kalmbach

Justin Kalmbach
Attorney for Ryne Mathias

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of January, 2026, a true and correct copy of the foregoing document was served on the following individual(s) as indicated below:

Ms. Jamie Baldwin
P.O. Box 435
Pablo, MT
59855

U.S. Mail
 Hand Delivery
 Federal Express
 Facsimile

/s/ Justin Kalmbach

Kalmbach Law Office, PLLC