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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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UTE INDIAN TRIBE OF THE UINTAH  
AND OURAY RESERVATION, UTAH

Plaintiff,

v.

STATE OF UTAH, et al.,

Defendants.

**JOINT MOTION TO REOPEN CASE  
AND FOR STATUS CONFERENCE**

Case no. 2:75-cv-00408-RJS (Consolidated  
Action Civil Case Nos. 2:75-cv-00408, 2:13-  
cv-00276, 2:13-cv-01070, and 2:13-cv-  
01079)

Judge Robert J. Shelby

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Pursuant to Fed. R. Civ. P. 16, the parties to this matter hereby jointly request the Court reopen this case, schedule a status conference and set briefing schedule and process for resolving the sole remaining legal issue in this matter.

This matter was stayed by the Court on February 10, 2017, Dkt. 1268, and was administratively closed by the Court on February 21, 2017, Dkt. 1269, with the Court orders providing that any party could file a motion to re-open the case and lift the stay. From July 2016 until July 2024, the parties have been engaged in mediation in the United States Court of Appeals for the Tenth Circuit. That mediation concluded in July 2024 and, with the agreement of all parties, the appeals pending before the Tenth Circuit were dismissed on July 16, 2024. As a result of that mediation, the parties stipulated and now jointly request that the court re-open this matter, lift the stay, and schedule a status conference to set the procedure and briefing schedule for the parties to obtain judicial resolution of the sole remaining illegal issue, the jurisdictional status of split estate surface lands.

Accordingly, the Parties to this case jointly move to re-open this matter in order to resolve the final legal issue – whether the surface of “split estate lands”<sup>1</sup> are “Indian Country” or “non-Indian Country” for purposes of determining criminal and civil jurisdiction over matters occurring on the surface of the split estate lands. Resolution of this legal questions is necessary to facilitate the approval and execution of a consent decree and stipulation to end this litigation.

The parties therefore jointly request that the Court re-open the case and set a status conference for the purpose of setting a briefing schedule and otherwise determining the resolution of this matter.

DATED this 16th day of September 2025.

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<sup>1</sup> “Split Estate” Lands at issue are lands in which (1) the Ute Tribe holds a sub-surface mineral estate interest (either directly or through the United States in trust) and (2) the surface estate of the lands have all three of the following characteristics (described in *Ute V*, 114 F.3d 1513, 1528: (i) were “unallotted;” (ii) were “opened to non-Indian settlement under the 1902–1905 legislation;” and (iii) were not thereafter “returned to tribal ownership.”

Respectfully submitted by,

s/ Jeremy J. Patterson

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**CERTIFICATE OF SERVICE**

I hereby certify that on this **16th day of September 2025**, a copy of the foregoing **JOINT MOTION TO REOPEN CASE AND FOR STATUS CONFERENCE** was filed electronically. Notice of this filing will be sent to the parties of record through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

/s/ Baylee L. Reinstein

Baylee L. Reinstein  
Legal Assistant

