

IN THE APPELLATE COURT OF THE YAQUI NATION

Robert Noriega)
Appellant or Petitioner,)
Vs.)
Pasqua Yaqui Tribe,)
Appellee or Respondent.)

No. CA-02-005
NOTICE OF APPEAL
re: CR-02-100

APPELLATE COURT
SEP 23 AM 8:01
CR-02-005

1. If the appeal is from the entire judgment:

"Notice is hereby given that the above named Robert Noriega
appeals to the Appellate Court of the Yaqui Nation from the judgment entered in this action by
Pasqua Yaqui Tribal Court on the 9th day of
(Name of court or agency) September, 2002.

2. If the appeal is from part of the judgment:

"Notice is hereby given that the above named _____ appeals to
the Appellate Court of the Yaqui Nation from the following part of the judgment entered by the
_____ on the _____ day of _____, 20_____.
(Name of the court or agency)

(Specify the part of the judgment appealed from here.)

Robert Noriega
Name of the Attorney or Party taking appeal
if not represented by Attorney

I was refused a continuance of the trial date on Sept. 9, 2002. My request for a continuance was for purposes of obtaining legal representation. However the prosecuting attorney was previously granted a continuance for purposes of taking vacation.

It is in the interests of justice that I should have been granted a continuance.

I request that you order the trial court to vacate its order at trial & set a new trial giving me the opportunity to obtain counsel.

IF not granted a continuance, I here than ask that the charges against me be dismiss.

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IN THE PASCUA YAQUI TRIBAL COURT

IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION

PASCUA YAQUI TRIBE)
Plaintiff)
VS.)
NORIEGA, ROBERT JR.)
Defendant)

CASE NO: CR-02-100

ORDER

The above matter came before this Court for Trial hearing on this 9th day of September 2002. Appearing for the Tribe was Chief Prosecutor, Tamara Walters. The Defendant appeared without legal counsel.

The Court finds that Eracio Noreiga appeared to represent the Defendant, however the Court asked Mr. Noreiga that he could not represent the defendant as Mr. Noreiga was not certified to practice in this jurisdiction.

The Court finds after hearing sworn testimony from the Tribe's witnesses the Tribe has proven beyond a reasonable doubt that the defendant committed the offense of Assault by striking the victim in the facial area causing redness to the eye and causing the eye to become swollen. Sentencing hearing will be schedule for another date and time. Defendant will remain on the same conditions of release.

IT IS ORDERED THAT:

- a.) The Defendant was found guilty of Count 1 Assault.
- b.) Sentencing hearing is scheduled for **OCTOBER 1, 2002 AT 11:30 A.M. THIS IS THE ONLY NOTICE OF HEARING YOU WILL RECEIVE.**
- c.) Defendant shall remain on the same conditions of release.

SO ORDERED THIS 9th DAY OF September, 2002.



Judge, Pascua Yaqui Tribal Court

CC: Tribe: Defendant
Date: 9.10.02 Clerk: AS