

1 Pascua Yaqui Public Defender
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2 Tucson, Arizona 85746

3 Nicholas A. Fontana, SBN 014429
4 Melanie A. Yazza, Intern
COUNSEL FOR: Defendant

CR 04-178
PJ

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6 IN THE PASCUA YAQUI TRIBAL COURT
7 IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION

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9 PASCUA YAQUI TRIBE,

Plaintiff,

10 vs.

11 WALTERS, DAMIEN,

12 Defendant.
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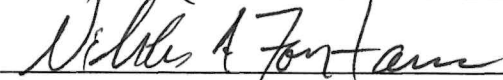
Case No.: CR-04-178

NOTICE OF APPEAL

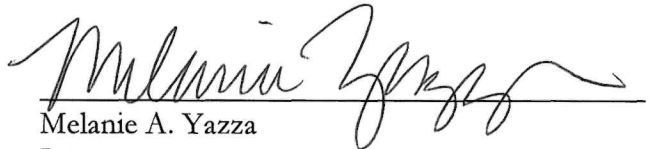
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15 COMES NOW the above named Appellant, Damien Walters, by and through counsel undersigned,
16 and hereby timely files a Notice of Appeal to the Appellate Court from the Order entered in this action by
17 the Pascua Yaqui Tribal Court on October 21, 2004, denying Appellant, Damien Walters', motion to
18 Dismiss For Lack of Reasonable Suspicion. The Appellant contends that the Court's finding is erroneous
19 and not supported by the evidence presented at the hearing. The Appellant contends that the Pascua Yaqui
20 Police had no lawful reason to detain the Appellant without a warrant and that the Tribe cannot provide a
21 particularized and objective basis to support the detention of the Appellant.

22 RESPECTFULLY SUBMITTED this 24th day of October, 2004.

23 PASCUA YAQUI PUBLIC DEFENDER

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25 Nicholas A. Fontana
26 Chief Public Defender
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Melanie A. Yazza
Intern

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ORIGINAL of the foregoing delivered this date
To PY Tribal Court by: *MY*

COPY of the foregoing delivered this date to
Prosecutor's Office, PY Ct. in-box by: *MY*