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DOCKET NO. CA-06-006  
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5 COUNSEL FOR: Defendant

6 IN THE PASCUA YAQUI TRIBE COURT OF APPEALS  
7 IN AND FOR THE PASCUA YAQUI INDIAN RESERVATION

8 PASCUA YAQUI TRIBE,  
9 Plaintiff/Appellant,

10 vs.

11 DELEON, FERNANDO,  
12 Defendant/Appellee.

) Appellate Case No: CA-06-006

) Tribal Court No.: CR-05-111

) MOTION TO DISMISS APPEAL

13  
14 Pursuant to Rules 6 and 7(G), Pascua Yaqui Tribe Rules of Appellate Procedure, counsel for  
15 the above named Appellee, Fernando Deleon, respectfully files a Motion to Dismiss the appeal  
16 because Mr. Deleon was acquitted on January 17, 2006. The acquittal renders the appeal moot and,  
17 further, Rule 7(G) prohibits the prosecutor from appealing an acquittal. A copy of the Court's  
18 Order is attached hereto.

19 DATED this 27<sup>th</sup> day of January, 2006.

20  
21 PASCUA YAQUI PUBLIC DEFENDER

22  
23 [Signature]  
24 M. June Harris  
25 Deputy Public Defender

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