

No. CA-07-001
Pascua Yaqui Tribe Court of Appeals

Pascua Yaqui Tribe, Plaintiff/Appellee,

v.

Paul Lorenzo Alvarez, Defendant/Appellant.

ORDER

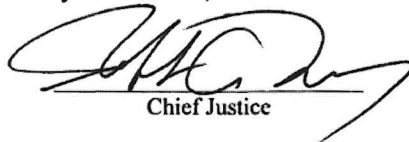
Appeal of a trial court decision dated October 4, 2006 in case No. CR-06-080.

Nicholas s. Hentoff, Esq., Buckeye, Arizona, for the Defendant/Appellant.
Micah Schmit, Esq., Pascua Tribe Office of the Prosecutor, Tucson, Arizona, for the Plaintiff/Appellee.

The Chief Justice reviewed this appeal using Rule 15, PYTRAP, and finds as follows:

1) The Appellant filed a notice of appeal with this Court on November 13, 2006. No other documents were filed with the notice of appeal such as the required copy of the final judgment that is being appealed, Rule 7, PYTRAP; 2) The notice of appeal says the trial court entered a final judgment of conviction and sentence "on October 4, 2006." A notice of appeal must be filed with this Court "no later than thirty (30) days from the date the judge has signed the decision" that is appealed. Rule 8(A), PYTRAP; and 3) Since filing the notice of appeal, the Appellant has done nothing to move his case along; has not filed the trial court record; and has not filed any relevant pleadings. Accordingly, the appeal (which is dismissible for lack of prosecution) is dismissed for lack of jurisdiction (appeal filed beyond the thirty days requirement) and the case closed before this Court.

So ORDERED this 17th day of October, 2007.


Chief Justice

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Attorney for Defendant

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

PASCUA YAQUI TRIBE,
Plaintiff/Appellee,

vs.

PAUL LORENZO ALVAREZ,
Defendant/Appellant.

) Appellate Case No: CA-06-
Tribal Court No.: CR-06-080

NOTICE OF APPEAL

The Defendant, Paul Lorenzo Alvarez, by and through counsel undersigned, hereby files his
Notice of Appeal of the Judgment of Conviction and sentence entered by this Court on October 4th 2006.

RESPECTFULLY SUBMITTED this 2nd day of November, 2006.

HENTOFF LAW OFFICE

Nicholas S. Hentoff
Attorney for Defendant

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ORIGINAL of the foregoing mailed/faxed
this 2nd day of November, 2006 to:

Pascua Yaqui Tribal Court
7474 South Camino de Oeste
Tucson, AZ 85757
Fax: (520)879-6277

COPY of the foregoing mailed/faxed
this 2nd day of November, 2006 to:

Micah Schmit, Chief Prosecutor
Office of the Prosecutor of the Pascua Yaqui Tribe
7474 South Camino de Oeste
Tucson, AZ 85757
Fax: (520) 879-6260



Marcella Barbosa