

DIST.	OFF.	DOCKET YR. NUMBER	FILING DATE			J	N/S	O	D		R 23	\$ DEMAND	JUDGE/ MAG. NO.	COUNTY	JURY DEM.	Y
			MO	DAY	YEAR				PTF	DEF						
869	4	81 4088	06	01	81	3	550	1			X	Nearest \$1,000	J 6904 M	46099		8

PLAINTIFFS

NATIVE American Council of Tribes,
Garrett Wounded Head, Spokesman,
and Dale Louis Clark & Tony Shunk,
Legal Advisers, Individually and
on behalf of all those similarly
situated

DEFENDANTS

SOLEM, Herman, Warden, Sout
Dakota State Penitentiary a
Frank Brost, Ted Spaulding,
Sydna Cheever, Lambert Holl
Carole Hillard, Jim Smith,
Wallin and Vera Allen, Memb
of the South Dakota Board c
Charities and Corrections,
William Janklow, Governor c
the State of South Dakota,
dividually and in their off
capacities

CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE
IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

Prisoner Petition for Relief. Violation of Civil Rights. To allow Nat
Americans Religious Ceremonies and Medical and Dental Care.

ATTORNEYS

*Lee Rae Burd
305 Security Bldg.
Sioux Falls, SD 57102

Douglas E. Kludt
Assistant Attorney General
State Capitol Building
Pierre, SD 57501
773-3215

*Appointed by Court of Appeals
2-16-82

6-3-83 Substituted for Lee Burd
Nancy Manning
503½ Sixth Street
Rapid City, S. D. 57701

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN	FILING FEES PAID			STATISTIC
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD

DATE	NR.	CIV81-4088	PROCEEDINGS
6-1-81	1	MOTION to Proceed in Forma Pauperis Filed	
6-1-81	2	AFFIDAVIT of Garret Wounded Head, Dale Louis Clark and Tony Shunk Support of Motion to Proceed in Forma Pauperis Filed	
6-1-81	3	PETITION for Relief Filed	
6-1-81	4	MOTION to Allow Service by Mail and to Dispense with Requirement of Security Filed	
6-1-81	5	MEMORANDUM: of Law in Support of Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	6	MOTION for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	7	AFFIDAVIT of Dale Louis Clark in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	8	AFFIDAVIT of Garrett Wounded Head in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	9	AFFIDAVIT of Tony Shunk in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	10	AFFIDAVIT of William R. Cody in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	11	AFFIDAVIT of Randy Begay in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	12	AFFIDAVIT of Earl Anderson in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	13	AFFIDAVIT of Billy Plemmons in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	14	AFFIDAVIT of Marley Poor Thunder in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	15	AFFIDAVIT of Sven Cederstrom in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	16	AFFIDAVIT of James Michael Simons in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	17	AFFIDAVIT of Floyd Thompson in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	18	AFFIDAVIT of David DeNomme in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	19	AFFIDAVIT of Perry Amussen in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	20	AFFIDAVIT of Amos Block in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	21	AFFIDAVIT of Jack Sutton in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	22	AFFIDAVIT of John Nachtigall in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	23	AFFIDAVIT of Joe Hintz in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	24	AFFIDAVIT of Levi Big Crow in Support of Motion for Temporary Restraining Order and Preliminary Injunction Filed	
6-1-81	25	NOTICE of Appearance of Garret Wounded Head, Dale Louis Clark and Tony Shunk Filed	
6-1-81	26	CERTIFICATE of Service Filed	
6-1-81	27	ORDER Allowing Filing in Forma Pauperis and Order to Dismiss Action and Order Denying Temporary Restraining Order Filed	

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CIV81-40 DOCKET NO. <u> </u> PAGE <u>2</u> OF <u> </u>
Native American Council of Tribes, et al.		Herman Solem, Warden, et al.	
DATE	NR.	PROCEEDINGS	
1981			
6-1-81		Notice of Entry and copy of Order mailed Native American Council of Tribes, Dale Louis Clark, Tony Shunk, Garret Wounded Head, Solem, William Janklow and Mark Meierhenry	
6-23-81	28	AFFIDAVIT in Support of Motion to Appeal in Forma Pauperis, Plaintiffs Garrett Wounded Head, Dale Louis Clark and Tony Shunk Filed	
6-23-81	29	NOTICE of Appeal in Forma Pauperis Filed	
6-24-81		Notice of Entry and copy of Notice of Appeal mailed Herman Solem and Mark Meierhenry	
6-24-81		Mailing Record on Appeal to Robert D. St. Vrain, Clerk, U.S. Court of Appeals, St. Louis, Missouri 63101	
6-24-81	30	LETTER of Transmittal Filed	
6-29	31	Order of U. S. Court of Appeals requesting that original file forwarded filed	
6-29		Original file mailed to U. S. Court of Appeals, St. Louis, MO	
6-30-81	32	DESIGNATION of Record of Plff. Dale Louis Clark Filed	
6-30-81	33	DESIGNATION of Record of Plff. Tony Shunk Filed	
6-30-81	34	DESIGNATION of Record of Plff. Garrett Wounded Head Filed	
2-12-82	35	MOTION by Defendants to Supplement Designated Record on Appeal Filed	
2-16-82		Fur. copy of Motion to the Hon. Fred J. Nichol, Judge	
2-16-82		Mailing 3 c. copies of Motion to Robert D. St. Vrain, Clerk, U.S. Court of Appeals, St. Louis, Missouri	
2-19-82	36	ORDER from Court of Appeals appointing Lee Rae Burd to represent appellants and setting this appeal for oral argument & submission at May session in St. Paul, MN.	
2-22-82	37	RECEIPT allowing Lee Burd to check out Court file for seven days filed.	
3/1/82	38	ORDER granting Defendant's Motion to Supplement the Designated Record on Appeal filed.	
3/1/82		Correct copy of Order entered in 1982 Southern Division Order: Page 75	
3/1/82		Notice of Entry and copy of Order mailed Lee Burd and Douglas Kludt	
3/1/82	39	Letter of transmittal of supplemental designated items to Court of Appeals filed.	
3/3/82		File returned by Lee Burd this date.	
3/23/82	40	Copy of LETTER to Robert St. Vrain, Clerk, U.S. Court of Appeals forwarding designated record as set forth in letter filed.	
3-24-82	41	LETTER from Appellees Concurring with Appellant's Designation	
3-24-82	42	TRANSMITTAL Letter to Court of Appeals Filed	
4-26-82	43	MOTION by Plaintiffs to Supplement Designated Record on Appeal	
4-26-82	44	ORDER Supplementing Designated Record on Appeal Filed	
4-26-82		Notice of Entry and copy of Order mailed Lee R. Burd and Douglas Kludt	
4-28-82	45	TRANSMITTAL Letter to Court of Appeals Filed	
10-21-82	46	Copy of OPINION from U. S. Court of Appeals filed.	
12-27-82	47	OPINION of U.S. Court of Appeals Filed	
12-27-82	48	MANDATE of U.S. Court of Appeals Reversing in Part the Judgment	

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CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-3.1

PLAINTIFF Native American Council of Tribes	DEFENDANT Herman Solem, Warden, et al.	CIV 81-4C DOCKET NO. _____ PAGE ___ OF ___ P
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DATE	NR.	PROCEEDINGS
12-29-82		Notice of Filing and copy of Mandate mailed Lee Burd and Douglas E. Kludt
12-29-82		Delivering copy of Mandate to the Office of the Hon. Fred J. Nic Judge
4/6/83	49	ANSWER of Defendant filed
5-9-83		Enter hearing on mandate of U. S. Court of Appeals reversing in part the Jud this Court before the Hon. Fred J. Nichol, Senior District Judge, Sioux
6-3-83	50	ORDER Substituting Counsel--Nancy Manning for Lee Burd--and Continuing Trial August 16, 1983 Filed
6-3-83		Correct copy entered in 1983 S.D. Order Book, Page 274
6-3-83	51	RESOLUTION by Plaintiffs Re: Releasing Attorney Lee R. Burd Filed
6-3-83	52	MOTION by Appellants/Plaintiffs for Extension of Time Extending 6-7-83 Heari Date with Unsigned Order Filed
6-3-83		Notice of Entry and copy of Order mailed Lee R. Burd and Douglas Kludt and Nancy Manning
8-12-83	53	MOTION by Plaintiff and ORDER for Dismissal Without Prejudice filed.
8-12-83		Notice of entry and copy of Order mailed Lee R. Burd, Nancy Manning and Doug Kludt
8-17-83	54	STIPULATION and AGREEMENT filed.