

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS CIVIL DIVISION OF
TRIBAL COURT



Kathleen Mary Reick,
Petitioner

v

Case No. C-073-0609

Bruce Franklin Reick
Respondent

DECREE OF DISSOLUTION OF MARRIAGE

Findings:


1. Petitioner filed a Petition for Simple Dissolution of Marriage on July 17, 2009.
2. Petitioner residence at the time of filing the Petition for Simple Dissolution of Marriage was 7361 Cheboygen Road, Alanson, Michigan 49706. Petitioner believed this residence was within the tribal jurisdiction as defined in WOS #2008-007.
3. Waganakising Odawak Statute # 2008-007 Dissolution of Marriage Section III. Jurisdiction states, "*the Court shall have jurisdiction over divorce proceedings for the dissolution of marriage, including issues of child custody, child support, division of property, or alimony where at least one (1) party to the proceedings is a Tribal Citizen of the Little Traverse Bay Bands of Odawa Indians and has been a bona fide resident of the Tribal Jurisdiction for a period of at least 180 days prior to the filing of the action.*"
4. Jurisdiction is defined in WOS# 2008-007, Section II. Definitions, 2. "*Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians*" means "*areas referenced in the Public Law 103-324, 25 USC Section 1300k-2(b)(2)(A) as the boundaries of the reservations for the Little Traverse Bay Bands as set out in Article I, paragraphs 'third and fourth' of the Treaty of 1855, 11 Stat. 621.*"

Little Traverse Bay Bands Constitution, Article V (A)(1)(a). See WOS#2008-007, Section II.

5. Upon review of WOS #2008-007 Dissolution of Marriage and the location of the residence in Alanson, Michigan, the Court dismisses this matter for lack of jurisdiction. The statute provides that a Tribal Citizen be a bona fide resident of the jurisdiction for at least 180 days prior to filing
6. However, since the filing of this Petition on July 17, 2009, Petitioner has since moved from Alanson, Michigan and now resides within the tribal jurisdiction as defined in WOS# 2008-007.
7. If Petitioner so chooses she may file a Petition for Simple Dissolution of Marriage after 180 days of the date she moved from Alanson, Michigan to Harbor Springs, Michigan.

IT IS SO ORDERED: This matter is hereby dismissed for lack of jurisdiction.

08/14/09
Date


JoAnne Gasco, LTBB Chief Judge