

FILED

OCT 27 2006

LF

LYNNEA A. FERRELL
CLERK OF COURT

TRIBAL COURT
OF THE
SHAKOPEE MDEWAKANTON SIOUX (DAKOTA) COMMUNITY

In re the Matter of:

Randolph Scott Gast,
n/k/a Randolph Scott Crooks

Court File Number: 558-06

Plaintiff,

v.

MEMORANDUM AND
ORDER

Suzette Jeanenne Gast,

Respondent.

MEMORANDUM

The Petitioner through his Counsel brings a motion seeking direction from the Court relative to service of process consistent with Rule 34 of the court's civil rules of procedure affecting Enforcement of Foreign Judgments. Upon review of Rule 34 the court finds that service is required but with no further guidance. In such cases we then must turn to the general rule governing service. Service and filing of papers and other documents is governed by Rule 6 of the court's rules. In particular rule 6 (b) of the rules sets forth how service is made and states:

"Whenever under these rules service is required or permitted to be made upon a party represented by an attorney, the service shall be made upon the attorney unless service upon the party himself is ordered by the court".

The Petitioner has presented to the court a signed affidavit from his counsel in which the counsel states clearly that the counsel for the Respondent was served the pleadings in this action by mail on August 11, 2006. This action meets the requirements of Rule 6(b).

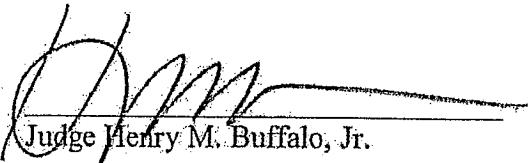
ORDER

IT IS HEREBY ORDERED:

That the requirement for service consistent with Rule 34 has been met by the Petitioner and the Petitioner may proceed with this action.

DATE:

10/27/06



Judge Henry M. Buffalo, Jr.