

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 GALE NORTON, Secretary of the Interior, et al.,)
)
 Defendants.)
 _____)

Case No. 1:96CV01285
(Judge Lamberth)

NOTICE OF FILING

Defendants in the above-entitled action give Notice of Filing of a letter received yesterday, September 7, 2004, from individual Indian land owners addressed to the Solicitor's Office of the Department of the Interior inquiring about the suspension of a pending sale of their land. Identifying information within the letter has been removed from this filing but can be provided to the Court under seal if so requested.

Dated: September 8, 2004

Respectfully submitted,

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/s/ Sandra P. Spooner
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CERTIFICATE OF SERVICE

I hereby certify that, on September 8, 2004 the foregoing *Notice of Filing* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417
Fax (406) 338-7530

/s/ Kevin P. Kingston
Kevin P. Kingston

September 7, 2004

Ms. Rachel Spector,
Assistant Solicitor
Division of Indian Affairs

RE: Federal Court Injunction – Third Party Appeal for Modification

My name is [REDACTED] and I am writing on behalf of my wife, and sister-in-law, [REDACTED] and [REDACTED] who are enrolled [REDACTED]

I am writing to appeal for the immediate modification of the recent federal court injunction dated August 31, 2004. 15 months ago my wife was forced into a situation financially that required her to sell a portion of her tribal trust land to take care of her sisters dire medical condition. She has been basically roadblocked for the last 15 months by our local region B.I.A. office in the attempt to sell her land for financial resources to further attend her sisters dire medical need. Both my wife and sister-in-law lost their mother to cancer in 1997, therefore placing her as the matriarch of the family and responsible for the care of her sisters medical condition. We have had to enlist the aid of Stan Speaks (Regional Director for B.I.A.) Gabrielle Sneezy (Supervisor Office of Special Trustee) to simply conduct a trust to trust sale of Indian Land, As afore mentioned after 15 months of persistant diligence, dealing with mis-information, lost sale applications, and false appraisal criteria requirements. We finally, with the assistance of Mr. Sneezy were able to get a B.I.A. approved appraisal completed September 1, 2004. To allow us to proceed with closing of afore mentioned trust to trust sale. We were very distraught to learn of the August 31 injunction that in a sense freezes all B.I.A. trust transactions or any IIM, account activity.

The reason for my distress over this matter is as follows.

1. My sister in law has severe rheumatoid arthritis, with other companion medical conditions stemming from her arthritic condition. She has an open port to her heart to allow medical personnel to give her basically life sustaining medication. Their tribe informed me when I moved my sister-in-law to North Idaho after her divorce in Arizona due to her illness, that her medical condition was beyond their level of care, and furthermore too complicated for them to attend to in their moderate care facility, and that they would also be unable to utilize contract health services generally held for such cases because of lack of funds due to the current construction of their new medical facility. My wife and I have exhausted all our resources to care for [REDACTED] and were seeking this land sale to relieve our financial distress and allow us to place [REDACTED] in a full care nursing facility as requested by her attending physician. As we stand now my sister in law is only allowed 3 visits per week by nursing staff to attend her need for the administering of her various medicines. Without this land sale we have no other means to secure funding for her medical needs. We have sold all our life long assets and borrowed begged for all we could to aid her in her time of need. Placing ourselves (my wife and I) in incredible financial distress ourselves, unable to meet basic monthly bills, food and travel needs.

Due to this recent court decision handed down August 31, 2004. I fear the worst for my sister in law as well as my wife and myself. These are dire times for our family, so any kind of modification to enable us to close this trust to trust sale would no doubt enable us to provide the nursing care needed as well as relieving the financial stranglehold we now suffer from.

Respectfully submitted,

P.S. I would like to reinforce I am a non tribal member(caucasian) and do not nor have I ever had any kind of IIM account or otherwise.

Please if there is any way to modify the afore mentioned decision I entlore you please modify this document as such so that we may close our land sale and try to re-establish some semblance of normality to our lives and afford us the capitol needed to attend to my very ill sister in law.