



# SPIRIT LAKE TRIBE

OFFICE OF THE TRIBAL SECRETARY - TREASURER

BOX NO. 159 • POPT TOTTEL RD 78235 • PHONE 766-1223 • FAX 766-1136

May 18, 2006

TO: Honorable Judge Dubray  
Spirit Lake Tribal Court  
Spirit Lake Tribe

FR: Brian S. Pearson  
Secretary-Treasurer

RE: Exclusion Order

The Spirit Lake Tribe Council held a meeting today May 18, 2006, at 10:53 a.m. on an exclusion complaint against Alysia Michelle Knutson Anderson and Marilyn Knutson Peters and passed a resolution of whom five (5) members were present, one teleconference with four (4) in favor, none (0) opposed, none (0) absent. Therefore I am notifying you by letter and by RESOLUTION NO. A05-06-151 of the Exclusion on Alysia Michelle Knutson Anderson and Marilyn Knutson Peters from the Spirit Lake Reservation permanently, effective immediately.

Pursuant to the Spirit Lake Tribe Law & Order Code, Title 12; Exclusion, adopted pursuant to Article VI, Sections 3, 4, 9, and 12, of the Constitution of the Spirit Lake Tribe, approved by the Secretary of Interior on February 12, 1946 and amended from time to time, Section 9 & 12 grant to the Spirit Lake Tribal Council authority to manage tribal land regardless of whether that land is located inside or outside the Spirit Lake Reservation. Taken altogether, the cited sections grant to the Spirit Lake Tribal Council the power to exclude from restricted land inside the Spirit Lake Reservation any person not legally entitled to reside therein.

Should you have any questions regarding this matter, please feel free to stop in my office or call me at 766-1223.

Brian S. Pearson  
Secretary-Treasurer  
Spirit Lake Tribe

Myra Pearson  
Chairperson  
Spirit Lake Tribe

**SPIRIT LAKE TRIBE  
RESOLUTION NO. A05-06-151**

**WHEREAS,** the Spirit Lake Tribe of Indians is a federally recognized Indian Tribe acting under a revised Constitution dated May 5, 1960, approved by the Acting Commissioner, Bureau of Indian Affairs, July 14, 1961, and as subsequently amended in which amendments were approved by the Commissioner, Bureau of Indian Affairs; and August 19, 1996; and

**WHEREAS,** the Constitution of the Spirit Lake Tribe generally authorizes and empowers the Spirit Lake Tribal Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribe and of the enrolled members thereof; and

**WHEREAS,** the Spirit Lake Tribal Council (hereinafter the Tribal Council) as the governing body of the Tribe is empowered to promote justice, insure tranquility, encourage the general welfare, safeguard the interests of the tribe and its members and its members and the Tribal Constitution was approved for the benefit of the members of the Tribe and not for persons not members of the Tribe; and

**WHEREAS,** any and all rights provided by the Tribal Constitution are for the benefit of members of the Spirit Lake Tribe and those rights are not automatically extended to persons not members of the Tribe; and

**WHEREAS,** the Tribal Council and Tribal Court has received numerous complaints and pleadings over time from members of the Tribe who are entitled to be protected by the Constitution and Laws of the Tribe, as well as numerous complaints and pleadings from non-members of the Tribe who reside within the exterior boundaries of the Spirit Lake Indian Reservation, that certain individuals, not members of the Tribe, have abridged the rights of Tribal members by constantly disturbing the peace by harassment of tribal members and non-members residing within the exterior boundaries of the reservation; and

**WHEREAS,** the Tribal Council has adopted and amended over the course of years and as matter of traditional practice has excluded persons not members of the Tribe as an exercise of the Tribal government's right to exclude persons not members of the Tribe from the Spirit Lake Tribe Reservation; and

**WHEREAS,** the Tribal Council has previously codified in the Tribal Law and Order Code the Tribes right to exclude persons not members of the Tribe and subsequently such code as an exercise of the Tribal Council's legislative and judicial powers; and

SPIRIT LAKE TRIBE  
RESOLUTION NO. A05-00-151

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**NOW THEREFORE BE IT RESOLVED**, that the Tribal Council as an exercise of its legislative and judicial powers relative to the Exclusion Provision of said Title 13 Section 13-1-111 hereby officially excludes Marilyn Knutson of Leeds, North Dakota and Michelle Knutson Anderson of Devils Lake, North Dakota, both enrolled tribal members of the Turtle Mountain Band of Chippewa, from the Spirit Lake Tribe Reservation permanently and that such removal is effective immediately on May 18, 2006; and

**BE IT FURTHER RESOLVED**, the Tribal Council has adopted enforcement provisions, by RESOLUTION A05-00-049, for violations of an Order of Exclusion issued by the Tribal Council:

1. Any person the subject of an Exclusion Order shall immediately be taken into custody by a duly court appointed police officer and incarcerated until a hearing can be held with the Tribal Court. Such hearing shall be held within seventy-two (72) hours. The person shall be given an opportunity to present the reasons why he/she violated the exclusion ordinance. If the Court determines that a violation of the Exclusion Order has occurred and that such violation was voluntary, The presiding judge may then sentence the person who violated the exclusion order to incarceration for a period up to thirty (30) days. In no case shall the person who is the subject of the Exclusion Order be allowed to remain on the reservation unless he/she is in the custody. The presiding judge may cause the person to be physically escorted from the reservation.
2. In the event that person violates an Exclusion Order for the second time, he/she shall immediately be taken into custody by duly court appointed police officer and incarcerated until the Tribal Court can hold a hearing. The hearing shall be held within seventy-two (72) hours and if the violation of the Exclusion Ordinance was voluntary, the presiding judge shall sentence person who violated said order to incarceration for not less than sixty (60) days. Upon completion of this mandatory sentence, the person shall be physically removed from the reservation unless the original Exclusion Order is of no force and effect.
3. In the event that the person violates an Exclusion Order for a third time, he/she shall immediately be taken into custody by a duly court appointed police officer and incarcerated until a hearing can be held by the Tribal Court. The hearing shall be within seventy-two (72) hours and if the violation of the Exclusion Ordinance was voluntary, the presiding judge shall sentence the person who violated said order to incarceration for not less that of one hundred eighty days (180). Upon completion of this mandated sentence, the person shall be physically removed from the reservation unless the original Exclusion Order is of no force and effect.

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RESOLUTION NO. A05-06-151**

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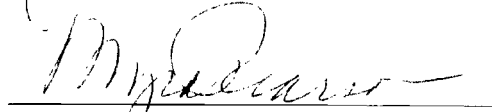
**CERTIFICATION**

I, the undersigned as Secretary-Treasurer of the Spirit Lake Tribal Council, do hereby certify that the Tribal Council is composed of six (6) members, of whom six (6) were present, constituting a quorum for a Special Meeting duly called and convened on this 18<sup>th</sup> day of MAY, 2006, and approved this resolution by an affirmative vote of four (4) in favor, none (0) opposed, none (0) absent.

(the Secretary-Treasurer does not vote and the Chairperson votes only in case of a tie.)



**Brian S. Pearson**  
Secretary-Treasurer



**Myra Fearson**  
Chairperson

Tuesday, May 09, 2006



Dear, Spirit Lake Tribal Council

I am an Enrolled Member of The Spirit Lake Tribe as well as my family members and I am asking that you thoughtfully take into consideration my request to have Michelle (Knutson) Anderson, Marcella Knutson, And Marilyn Knutson excluded off of the Spirit Lake Reservation due to the fact that I have had to endure a lot of harassment and threats by these women and I have also come into the information that I am not the only Spirit

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Brian S. Pearson  
Secretary-Treasurer

Myra Pearson  
Chairperson

AFFIDAVIT AND STATEMENT

Name: Melvin J. Knutson

Address: P.O. Box 597 Ft Totten N.D 58335

Telephone #: 701-350-2670

I, Melvin J. Knutson, being first duly sworn to Oath, AFFIRM, that I am the affiant in this case and that the statement made in my affidavit is true and correct to the best of my knowledge and recollection and belief as follows:  
ON 4-24-06 I melvin J. Knutson signed a paper along with michelle Knutson<sup>Anderson</sup> for a Restraining order against Fiona Dubois. I would like my name to be taken off of it, I work at DTI

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RESOLUTION NO. A05-06-151  
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Secretary-Treasurer

Myra Fearson  
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Chairperson

**SPIRIT LAKE TRIBE  
RESOLUTION NO. A05-06-151**

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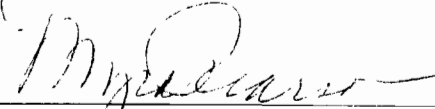
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(the Secretary-Treasurer does not vote and the Chairperson votes only in case of a tie.)



Brian S. Pearson  
Secretary-Treasurer



Myra Pearson  
Chairperson

AFFIDAVIT AND STATEMENT

Name: Melvin J Knutson

Address: P.O. Box 597 Ft Totten ND 58335

Telephone #: 701-750-2670

I, Melvin J Knutson, being first duly sworn to Oath, AFFIRM, that I am the affiant in this case and that the statement made in my affidavit is true and correct to the best of my knowledge and recollection and belief as follows:

I melvin am willing to make a deal with the courts for Finas Theft of my cash card if she completes treatment at some sort of facility for her drug & Alcohol abuse. this is a problem in her family from her man's Residents were she resides and I think she needs the help more then being in Jail for this charge with all due respect,

if she completes treatment I will let this charge to be dropped and the money forgiven, she is a really nice lady when she isnt under the influence of Alcohol & drugs

Dated: 4-25-06

Melvin J Knutson  
Affiant

Subscribed and sworn to before me this 25 day of April 2006

Carla Armona  
Clerk of Court Dispatcher: Police Officer

(Tribal Court Seal)

AFFIDAVIT AND STATEMENT

Name: Melvin J. Knutson

Address: P.O. Box 597 Ft Totten

Telephone #: 701-766-4887 Cell 351-5695

I, Melvin J. Knutson, being first duly sworn to Oath, AFFIRM, that I am the affiant in this case and that the statement made in my affidavit is true and correct to the best of my knowledge and recollection and belief as follows:

On the day of April 15, 06 Fiona Duboise kept calling my Bell Phone threatening me because I didn't want her at my house and wouldn't answer her phone calls around 4:30 am Saturday she came up to my Residents and threw a metal bar at my 1999 Ford pick-up and I thought she didn't hit it but she hit the Tarp and scraped it that almost cut through, she then jumped into the vehicle that was driven by some kids and started to spin out, I grabbed the bar and threw it back hitting the back window not meaning to I then called the cops telling this I then went down to make sure the police was gonna do something I went by Doris house they had them outside talking to them I kept going to go home they pulled me over on the clinic Road officer Lenior & Bundy they asked what happened and if I was drinking I said I had a couple with wayne Anderson and michell Anderson they did a sobriety test on me (I passed) they then said they were taking me in for malicious mischief I said for defending my property I arrived at the Jail they then did a breathalyzer test (I passed) I said you pick me up but not her when she has a warrant and she was drunk wayne Anderson was my witness when they came up. she has not lived at my Residents since around 3 months I consider this favoritism on the officers fault being officer Bundy goes out with Fiona on and off they never pick the Duboises up (the girls) (over)

Dated: 4-17-06

Melvin J. Knutson  
Affiant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Clerk of Court/ Dispatcher/ Police Officer

my vehicle and Trespassing I also want a Restraining order put in place against Fiona and her family, I work all day long and am a fire fighter, and cant be at home all the time to watch my property, she has been warned from all my sisters to stay away from are property, but just keeps coming up, are land is posted no trespassing and not Responsible for damage or theft of anyones proper but its hard to get her picked up because of the conflict of interest of her and the police officers I also asked her what happened to her and Phillises charges when Phillis tried Running over me on my own property she said she hand officer Bundy do away with those achile back befor they got to the courts my leg was severly brused from it and am worried for my safety and my property, I also ~~said~~ told the police that they pick me up for Defending my property but they cant pick up the individuals that ~~do~~ does damage to my vehicles and they are around here roaming around. I am making a copy of this and sending it to Mike McCoy and will be talking to Captain Trotter, with all due respect this is written.

Sincerely,  
Melvin Knutson

I work at DTI From 780 to 4 mthra P and a volunteer  
Firefighter

1 - ASK for a Restraining order

2 - Treatment for Fiona

3 - Belgard seen ditch were hit by Fiona

4 - Conflict of interest Bundy, Mike, Dwayne been wit

5 - Signs - posted

6 - Need money back \$720.00

7 - signed a paper before to drop charge's she never brought money up but think she took paper taken by her brother Jonathan when he stays over

8 Fiona called 4/23/06 <sup>at 751: AM</sup> Restricted and told me to call her later on her new cell # 701-477-2153 hear it was Dwyne Guavill's # her new man. After I called it an Dwayne answered I figured it <sup>out</sup> was a Belcourt #

she called Restricted 4/23 at 751 AM when she gave me Dwyne her phone — 4/22 at 754 AM

Marilyn Knutson  
Alysa (Knutson) Anderson,  
 Petitioner,  
 vs.  
Melvin J Knutson  
Fiona Dubois Knutson,  
 Respondent.

**PETITION FOR  
 DISORDERLY CONDUCT  
 RESTRAINING ORDER**

The undersigned Petitioner states as follows:

- I am the victim of the conduct complained of in this petition.
- I am the [parent] [guardian] of \_\_\_\_\_, who is the victim of the conduct complained of in this petition.  My [child's] [ward's] age is: \_\_\_\_\_
- My address is: (Petitioner may ask the court to leave this line blank) \_\_\_\_\_
- The respondent's address is: FT. TOTTEN N.D
- My age is: 46/38                      The respondent's age is: 40 + 20

My relationship to respondent is: Underline the appropriate word (stranger, spouse, ex-spouse, friend, other relative, acquaintance, other.)

I ask that a temporary restraining order be given requiring the respondent to stop the disorderly conduct directed at  me  my child  my ward. I also ask that the respondent have no contact with \_\_\_\_\_.

I request that a hearing be scheduled and that a more permanent restraining order be given after that hearing.

Beginning with the most recent event, these are the actions that support my request for a restraining order (include dates). This is what happened: John & Fiona said they will burn/bust up & Tear up our childhood home on the Taxed land we own on the Spirit Lake Reservation. We ask that they both be removed as they are both on Meth and John was arrested for possession of a controlled substance on April 29, 06. by officer ~~Bedford~~ McCloud and he requested a jury trial which prosecutor Vetsch said would be in August 06. On April 29 Melvin did cause damage to Marilyn vehicle while under the influence of drugs + alcohol. Fiona has made threats to bring bags up to →

[Use additional sheet if necessary]

People who witnessed these events are: Name(s): Michelle Knutson, Marilyn Knutson, Marcella Knutson, Shirlene Feather, Charlotte Charboneau, Martina Longie

[If there are other events which support your petition, describe them on an additional sheet of paper. Include the date of the event and the name of any witness(es).]

Mr Wang about the vehicle windows being broken

Fiona has also assaulted (physically) my 16 yr old niece while Fiona was also under the influence of drugs + alcohol at this time. My niece is Marcella Knutson's daughter Martina.

Dated this 11<sup>th</sup> day of May, 2006

Marilyn Kneeton  
Alysa (Routson) Anderson  
(Signature of Petitioner)

Subscribed and sworn before this 11<sup>th</sup> day of May, 2006.

Benson County, North Dakota

Lance K. Johnson  
Clerk of Notary Public

If notary, my commission expires: \_\_\_\_\_



**SPIRIT LAKE TRIBE,  
PLAINTIFF,**

**VS.**

**Marilyn Knutson  
DEFENDANT**

)  
)  
)  
)  
)  
)  
)

**CRIMINAL COMPLAINT**

**CR:**

The above named Defendant is charged by this complaint with the offense of **Malicious Mischief** in violation of Section **3-7-126** of the Spirit Lake Law and Order Code.

The Defendant is an Indian and on or about May 03,2006, the Defendant:  
Did maliciously damage a cable which was set up on Melvin Knutsons property by cutting it. Therefore the above defendant is being charged with the above offense.

These actions are against the peace and dignity of the Spirit Lake Tribe and are contrary to the Spirit Lake Law and Order Code.

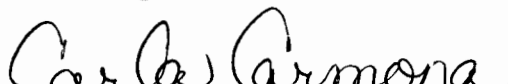
Therefore, the Spirit Lake Tribe respectfully requests that the Defendant be brought before the Court to answer to the charge and be dealt with according to law.

Dated this 03<sup>rd</sup> day of May, 2006.



Lavern Littlewind Sr.  
Police Officer  
Office of Law Enforcement Services  
Fort Totten, B.I.A.

Subscribed and sworn before me on this 15 day of May, 2006

  
Clerk of Court

Marilyn and Michelle Knutson, )  
 )  
 Petitioners, )  
 )  
 Vs. )  
 )  
 Fiona Dubois, )  
 )  
 Respondent, )

**CERTIFICATE OF**  
**SERVICE BY MAIL**  
 C# 06-04-094

The Undersigned being first duly sworn on oath, deposes and says:

1. That she is of legal age, a citizen of the United States, and is not a party to, nor has any interest in the above entitled action.
2. That in accordance with the laws of the Spirit Lake Tribal Code of Law and Order, I served, by depositing in the United States Mails, in the city of Fort Totten, County of Benson, the Spirit Lake Reservation, in the State of North Dakota, a true and correct copy of the following documents:

Extended TEMPORARY RESTRAINING ORDER

3. That said copies were enclosed in a sealed envelope, affixed with first class postage and addressed as follows:

Marilyn Knutson	Michelle Knutson	Melvin Knutson for wife
PO Box 222	PO Box 523	Fiona. Hand delivered at
Leeds, ND 58346	Ft. Totten, ND 58335	Courthouse, Ft. Totten, ND

4. That to the best of Affiant's knowledge, information and belief, each address stated is the actual last known post office address of the party intended to be served.

I herewith sign my name and affix the Seal of the Spirit Lake Tribal Court of the Spirit Lake Tribe.

Dated: May 12, 2006

  
 \_\_\_\_\_  
 Clerk of Court  
 Spirit Lake Tribal Court

Marilyn Knutson and Michelle Knutson,  
Petitioners,  
VS.

Extended  
TEMPORARY  
RESTRAINING ORDER

Fiona Dubois,

Respondents.

CIV# 06-04-094

.....  
**TO THE RESPONDENT: Fiona Dubois:**

- (1) You are hereby ordered not to have any direct or indirect contact with the Petitioners except as otherwise permitted by this Order. You must immediately stop any violence or harassment directed at the Petitioners.

**Direct Contact** shall include physical harm, bodily injury, assault or the infliction of fear of imminent physical harm, or assault, not committed in self-defense on the Petitioner.

**Indirect Contact** shall include physical harm, bodily injury, assault or the infliction of fear of imminent physical harm or assault, not committed in self-defense on the petitioner's family or household members and shall also mean that said contact cannot be made on the Petitioner **by or through any third party**.

- (2) **You violate this Order if, in addition to the prohibition set forth above, you:**
- a) Threaten, molest, injure the Petitioners directly or by or through any third party;
  - b) Call, deliver messages to the Petitioners or write or visit the Petitioners regardless of where this takes place, through anyone other than your attorney or the Tribal Court.
  - c) Enter or come within **10 feet** of:
    - Petitioners home or place of residence.  
*Note: This Order is not a prohibition of Respondent living with her husband (Brother to Petitioners) at his residence on Petitioners' property.*
    - Petitioners place of employment.
    - Petitioners daycare if applicable.
    - All public and private places.Take or damage any of the Petitioners property.
  - d) Have any physical contact with or threaten the Petitioners or members of Petitioners immediate family members.
  - e) Respondents shall be required to surrender any and all firearms or other dangerous weapons to the Fort Totten Police Department and shall not be permitted to acquire any new firearms during the period that this order remains in effect. When this order expires the Fort Totten Police

Department is authorized by law to release said firearms to the respondent, so long as the respondent is authorized by law to possess the firearm or weapon.

**NOTICE:**

**This temporary order shall remain in place for not more than 10-days until such time as a permanent restraining order shall be issued by the Spirit Lake Tribal Court.**

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Any officer of the Fort Totten Police Department may arrest you with or without a warrant and take you into custody if said officer has probable cause to believe that you have violated this Order.

**CONSENT OF THE PETITIONERS TO CONTACT DOES NOT INVALIDATE THIS ORDER AND WILL BE CONSIDERED A VIOLATION.**

The Clerk of Court shall give a copy of this Order to the Fort Totten Police Department that has jurisdiction over the residence of the Petitioner.

**Federal Law Requires that this Order be Given Full Faith and Credit and credit by a Court of any other State, Territory, or Indian Tribe. (18 U.S.C. Sec. 2265)**

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**CERTIFICATE OF COMPLIANCE**

This Temporary Restraining Order meets the Full Faith and Credit Requirements of the Violence Against Women Act (18 U.S.C. Sec. 2265 (1994)). This Court has jurisdiction over the parties and the subject matter; the respondent has been afforded notice and timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in this and all other jurisdictions. In addition any matters concerning temporary child custody addressed herein, have been done in compliance with the Uniform Child Custody Jurisdiction Enforcement Act (NCDD Sec. 14-14-09) and the Parental Kidnapping Prevention Act and are therefore also entitled to Full Faith and Credit.

Dated this 11<sup>th</sup> day of May 2006 @ 1:45 PM at Fort Totten, North Dakota.

  
DEBORAH DUBRAY, CHIEF JUDGE

ATTEST:

  
CLERK OF COURT

(SEAL)

STATE OF NORTH DAKOTA  
 COUNTY OF . BENSON

IN DISTRICT COURT  
 Case No. 23-0006

Marilyn Knutsen  
Alycia (Knutsen) Amickson  
 Petitioner,  
 vs.  
Melvin J Knutsen  
Finneas Pauline Knutsen,  
 Respondent.

**TEMPORARY  
 DISORDERLY CONDUCT  
 RESTRAINING ORDER**

To the above-named Respondent:

A Petition for a Disorderly conduct Restraining Order has been filed in District Court alleging that you have engaged in disorderly conduct. "Disorderly conduct" means intrusive or unwarranted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person. Disorderly conduct does not include constitutionally protected activity.

On the basis of the Petition in this case, the Court concludes there are reasonable grounds to believe you have engaged in disorderly conduct.

You violate this order if you:

1. You engage in any disorderly conduct toward the petitioner.
2. You have any contact with petitioner except through an attorney.
3. \_\_\_\_\_

You may appear on the 22nd day of MAY, 2023, at 2:00 (a.m.) (p.m.) and show cause why this temporary order should not be extended. The hearing will be held in the county courthouse for this county. If you fail to appear at the hearing this temporary order may be extended and if you are charged with violating a restraining order, it is no defense that you were not present at the hearing. Unless otherwise terminated, this order shall be effective until a regular order, if issued, is served upon you.

Violation of this order is punishable by up to one year in jail and a fine of up to \$2,000. Any peace officer may arrest you with or without a warrant and take you into custody if the peace officer has probable cause to believe you have violated this order.

Dated this 11<sup>th</sup> day of May, 2023

BY THE COURT:

  
 Judge of the District Court



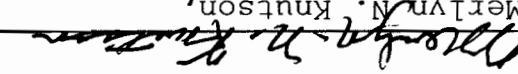
**187425  
QUIT CLAIM DEED**

THIS INDENTURE, Made this 30 day of March, 2001, between Merlyn N. Knutson, a single person, grantor, individually and as trustee, and Marilyn Peters, Marcela Knutson, Kimberly Knutson, Melvin Knutson and Alysia Knutson, grantees, whether one or more, whose post office address is c/o Marilyn Peters, P.O. Box 222, Leeds, ND 58346.

For and in consideration of the sum of One Dollar and other good and valuable considerations grantor does hereby QUIT CLAIM to the said grantee, all of the following real property lying and being in the County of Benson and State of North Dakota and described as follows, to-wit:

Government Lots Four (4) and Five (5), the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ ) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Twenty-two (22) and the North east Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-seven (27), all in Township One Hundred Fifty-two North, Range Sixty-five (65) West.

WITNESS, The hand of the grantor:

  
Merlyn N. Knutson,  
Individually and as Trustee

STATE OF NORTH DAKOTA )  
) SS )  
) COUNTY OF )

On this 30th day of March, 2001, before me personally appeared Merlyn N. Knutson, a single person, individually and as trustee, known to me to be the person who is described in, and who executed the within and foregoing instrument, and acknowledged that