

1986

Utah v. Vigil : Unknown

Utah Court of Appeals

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07 January 1987

Geoffrey Butler, Clerk
Utah Supreme Court
Room 332
State Capitol Building
Salt Lake City, Utah 84114

RE: Utah v. Vijil, NO. 20111

Dear Mr. Butler:

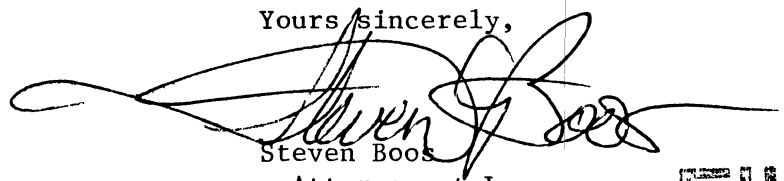
Pursuant to Rule 24(j), Utah Rules of Appellate Procedure, the appellant, Daniel Vijil, wishes to advise the Court of supplemental authority, pertinent to this action, not previously cited by either party.

In the case entitled In The Matter Of The Adoption Of Jeremiah Halloway (1986) - P.2d -, 48 U.A.R. 3, the Utah Supreme Court examined the issue of whether the Utah Courts have subject matter jurisdiction over a procedure for the adoption of a Navajo child. While the decision bases its finding of no jurisdiction chiefly upon an interpretation of the Indian Child Welfare Act, 25 U.S.C. §§ 1901-1963, it also acknowledges the general importance of preserving tribal sovereignty and self government. Id., at p.6.

The decision is generally important to the resolution of issues raised in the present case for its recognition that any extension of state authority over Reservation affairs must be barred if it infringes upon tribal sovereignty.

As Rule 24 dictates, a more detailed discussion of this new decision is reserved until the Court holds oral arguments in this appeal.

Yours sincerely,


Steven Boos
Attorney at Law

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Clerk, Supreme Court, Utah

BUTLER, Geoffrey
07 January 1987
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SB:mb

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