

IN THE SUPREME COURT OF THE CHEROKEE NATION

SALLIE LUETHJE, Claimant)
v.)
CHEROKEE NATION)
Respondent)
HUDSON INSURANCE COMPANY,)
Insurance Carrier)

Case No. SC -2018 - 102

2018 APR -2 AM 9:26
CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK
FILED

PETITION IN ERROR

- X PETITION IN ERROR
AMENDED OR SUPPLEMENTAL PETITION
CROSS PETITION
COUNTER-PETITION

I. TRIAL COURT HISTORY

COURT/ COMMISSION: Cherokee Nation District Court
CASE NO.: CV-2017-317
JUDGE: Judge Luke Barteaux
NATURE OF CASE: Workers' Compensation
NAME OF PARTY FILING THIS PETITION IN ERROR: Cherokee Nation and the Hudson Insurance Company

THE APPEAL IS BROUGHT FROM: (check one)

- X Judgment, Decree or Final order of the District Court
Appeal from order granting summary judgment or motion to dismiss
Final Order of Other Tribunal, Commission, or Hearing Board
Interlocutory Order Appealable by right
Other

II. TIMELINESS OF APPEAL

1. Date judgment, decree, or order appealed was filed: March 2, 2018. Please note: The Order states the case number is CV-2015-399, but based upon the style of the case, the content of the Order, and the timing of the issuance of the Order it appears this Order is an adjudication of CIV-17-317 and will be treated as such by

Respondent and Insurance Carrier until otherwise Ordered by this Court or the District Court.

2. Does the judgment or order on appeal dispose of *all* claims by and against *all* parties? Yes No

3. Were any post-trial motions filed? No

4. This Petition is filed by: Delivery to Clerk, or
 Mailing to Clerk by U.S. Certified Mail,
Return Receipt Requested

III. RELATED OR PRIOR APPEALS

None

IV. SETTLEMENT CONFERENCE

Is the appellant willing to participate in a Settlement Conference? Yes No

V. RECORD ON APPEAL

A Transcript will be ordered
 No Transcript will be ordered because the record for this appeal was made at arbitration and is included in the record that was before the District Court
 Narrative Statement will be filed

VI. JUDGMENT, DECREE OR ORDER APPEALED-- EXHIBIT "A"

Attached as Exhibit "A" to the Petition in Error is a certified copy of the judgment of March 2, 2018

VII. ORAL ARGUMENT AND DECISION ON APPEAL DESIRED -- Exhibit "B"

Attached as Exhibit "B" is Respondent/Insurance Carrier's request regarding oral argument and decision on appeal desired from the Supreme Court.

VIII. NAME OF COUNSEL OR PARTY, IF PRO SE

ATTORNEY FOR APPELLANT

Name: Jay L. Jones
Firm: Connie M. Wolfe & Associates
Address: 501 North Walker Avenue,
Suite 140
City: Oklahoma City
State: OK Zip: 73102
Phone: (405) 702-5356
Fax: (405) 702-5399

ATTORNEY FOR APPELLEE

Name: Bryan Berry
Address: 2230 E. 49th Street, Suite A
City: Tulsa
State: OK Zip: 74105
Phone: (918) 742-3200
Fax: (918) 742-3772

DATE: March 30, 2018

Verified by: 

Jay L. Jones CNBA: 0222
Firm: Connie M. Wolfe & Associates
Address: 501 N. Walker, Suite 140
City: Oklahoma City
State: OK Zip: 73102
Phone: (405) 702-5356
Fax: (405) 702-5399

IX. CERTIFICATE OF MAILING TO ALL PARTIES AND COURT CLERK

I hereby certify that a true and correct copy of the Petition in Error was mailed this 30th day of March 2018 to the following:

Bryan Berry
2230 E. 49th Street, Suite A
Tulsa, OK 74105

I further certify that a copy of the Petition in Error was mailed to, or filed in, the office of the Court Clerk of the Cherokee Nation Supreme Court on the 30th day of March 2018.



IN THE DISTRICT COURT OF THE CHEROKEE NATION

FILED

SALLIE LUETHJE,)
 Claimant,)
 v.)
 CHEROKEE NATION,)
 Respondent,)
 HUDSON INSURANCE COMPANY,)
 Insurance Carrier.)

2017 MAR -2 PM 2: 57

CV-2015-399

CHEROKEE NATION
DISTRICT COURT
KRISTI MONCOOYEA
COURT CLERK

ORDER ON APPEAL

NOW on March 1, 2018, the District Court of Cherokee Nation, sitting as the Appellate Court in the above-styled matter hereby makes the following ruling after review of the court file, briefs, transcript and exhibits the court finds and orders as follows:

The final award entered on May 31, 2017 is supported by competent evidence, sound reasoning, and it is appropriate under the law. Therefore, the court adopts said final award and affirms the award contained therein.

IT IS SO ORDERED.

Luke Barteaux

Luke Barteaux
District Court Judge

Copies to be furnished to:
All parties of record.

EXHIBIT "A"

I certify that the foregoing instrument is a true and correct copy of the original document filed in the records of the District Court of the Cherokee Nation.

Date: 3-2-18

KRISTI MONCOOYEA, COURT CLERK
Kristi Moncooyea
DEPUTY

