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LATGAWA INDIAN TRIBAL JUSTICE COURT

Latgawa Native American Indian Tribe - Latgawa Indian Tribal Justice Court
744 Mazanetta Street, Central Point, OR 97502
PO Box 1651, Medford, OR 97501

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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF JOSEPHINE

LATGAWA NATIVE AMERICAN INDIAN TRIBE)
AND JOHN GREY EAGLE NEWKIRK,)
Plaintiffs,)
v.)
JAMES R. DOLE, ATTORNEY, AND THE LAW)
FIRM OF SCHULTZ, SALISBURY, CAUBLE)
AND DOLE, FIRST AMERICAN TITLE)
INSURANCE COMPANY OF OREGON,)
MICHAEL NEWMAN AS AN INDIVIDUAL)
AND IN HIS CAPACITY AS JUDGE,)
TIMOTHY TALTY, MONET TALTY, MARY)
JANE WOLF, CHIEF HIDDEN WOLF,)
CALVIN RHODES, JOY C. MCEWEN,)
CAROL HOLLAND ESCROW OFFICER, CARL W.)
ALLEMAN, KENDON LEET, JOHN JONES,)
AND OTHER DEFENDANTS ONE THROUGH)
FORTY,)
Defendants.

CASE NO. 07CV0613
MOTION TO DISQUALIFY AND RECUSE
CIRCUIT COURT JUDGE G. PHILIP
ARNOLD, AND ORDER.

Oron

2007 FEB - 5 AM 10:31

NOW COMES THE PLAINTIFF,S and moves this Court for an ORDER Disqualifying the Honorable Circuit Court Judge G. Philip Arnold from Jackson County Circuit Court from Hearing any Matter, Proceeding or Trial in the above set out Action (s) for the reasons that the Plaintiffs Believes that they can not have a fair and Impartial Hearing, or Trial and that said Plaintiffs feel that said Judge Arnold is and will be Prejudiced towards said Plaintiffs...That the Plaintiffs in this Action are Native American Indians, and as such have been for many Years Subjected to Racial Profiling in both Josephine and Jackson Counties, to this end, Plaintiffs believe that they can not have nor receive an unprejudiced and Impartial Hearing or Trial from any Circuit Court Judge in Jackson County as has been the Case in Josephine County over the past (8) years, and the sme applies to Jackson County over the past and up todate in page 1. MOTION TO DISQUALIFY AND RECUSE CIRCUIT COURT JUDGE , G. PHILIP ARNOLD AND ORDER.

1 other related Issues. In over a year ago, Judge Arnold Signed an Illegal
2 SEARCH AND Seizure Warrant, Taking Computers, Files, Tribal Membership Records
3 Tribal Records that were Protected by the United States Supreme Court and
4 Congress from being Seized, and or made Publice . There is a New pending Law
5 Suit and naming Judge Arnold as one of the Defendants.

6 This Motion is made in good faith and not for the purpose of delay, and is the
7 first such motion against Judge Arnold, by the Plaintiffs in this matter.

8 Dated: 2/ 5/08:

9 BY: John Gray Eagle Newkirk
John Gray Eagle Newkirk.

10
11 ORDER

12 Based upon this Motion to Disqualify and Recuse The Honorable Judge, Arnold,
13 This Motion is Hereby:

14 Granted X Denied _____

15 2-11-08
BY: Mark Shimley
Presiding Judge.

16 I HEREBY CERTIFY that I hand delivered this Motion and Order to Disqualify
17 Jackson County Court Judge, G. Philip Arnold to the office and clerk of the
18 Josephine County Court, Oregon, located at 500 Sixth Street, Grants Pass,
Oregon 97526, on this day of February _____ 2008.

19 BY: John Gray Eagle Newkirk
20 John Gray Eagle Newkirk
21 P.O. Box 1651
22 Medford, Oregon 97501

23 RECEIVED AND FILED
24 FEB 15 AM 8:05
25 CLERK OF THE COURTS - JOSEPHINE
26

page 2. MOTION TO DISQUALIFY AND RECUSE CIRCUIT COURT JUDGE G. PHILIP ARNOLD AND ORDER.

CERTIFICATION OF SERVICE

I CERTIFY that I served a true copy---(CASE NO. 07CV0613) of Motion to DISQUALIFY AND RECUSE CIRCUIT COURT JUDGE G. PHILIP ARNOLD AND ORDER upon the following named persons, Defendants, and their Attorneys of record by personal service, by depositing it in the United States Post Office at Jackson County, Oregon 97501, on _____ 2008, in a sealed envelope Postage Paid, addressed to: OR BY THE FOLLOWING:

Upon the parties set forth below:

PERSONAL SERVICE _____

By REGISTERED MAIL _____

BY PERSONAL SERVICE AT RESIDENCE _____

BY LEAVING WITH SECRETARY _____

BY U.S. MAIL _____

BY SERVICE OF ATTORNEY REPRESENTING _____ CIRCUIT COURT JUDGE, G. PHILIP ARNOLD

_____ Jackson County Justice Bldg.

_____ 10 S. Oakdale

_____ Medford, Oregon 97501

DATE: 2-6------2008

Defendants Plaintiffs _____ in the above set out Complaint.

BY John Grey Eagle Newkirk
John Grey Eagle Newkirk
P.O. Box 1651
Medford, Oregon 97501
541-664-4080