



LATGAWA INDIAN TRIBAL JUSTICE COURT

Lalgawa Native American Indian Tribe - Lalgawa Indian Tribal Justice Court
744 Manzanita 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

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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 IN HIS OFFICIAL)
 CAPACITY AS JUDGE AND AS AN IND-)
 VIDUAL, TIMOTHY TALTY, MONET TALTY,)
 JANE WOLF, CHIEF HIDDEN WOLF, CALVIN)
 RHODES, JOY C. MCEWEN, CAROL HOLLAND,)
 ESCROW OFFICER, CARL W. ALLEMAN, KEN-)
 DON LEET, JOHN JONES, AND OTHER DEFEN-)
 DANTS ONE THROUGH FORTY,)
)
 Defendants,)

CASE NO. 07CV0613
MOTION TO DISQUALIFY AND
RECUSE CIRCUIT COURT JUDGE
RETIRERED, JOHN K. LOWE PRO-
TEM, AND ORDER.

2008 MAR 17 AM 8:02
STATE COURTS - JOSEPHINE
BY *[Signature]*

RECEIVED AND FILED

15 NOW COMES THE PLAINTIFF,S and moves this Court for an ORDER Disqualifying
16 the Honorable Circuit Court Judge John K. Lowe from Clackamas County from
17 Hearing any Matter, Proceeding or Trial in the above set out Action (s) for
18 the reasons that the Plaintiffs Believes that they can not have a fair and
19 Impartial Hearing, or Trial and that the Plaintiffs feel that said Judge
20 John K. Lowe, is and will be Prejudiced towards said Plaintiffs...That the
21 Plaintiffs in this Action are Native American Indians, and as such have
22 been for many Years Subjected to Racial Profilling in most Oregon Counties,
23 to this end, Plaintiffs believe that they can not have nor receive an un-
24 prejudiced and Impartial Hearing or Trial from any Circuit Court Judges
25 from Clackamas County, This Case has been on going for over (7) Years and
26 and has had wide spead attention , it is or started to be an issue

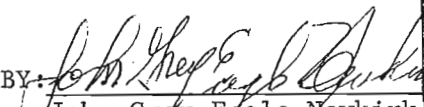
page 1. MOTION TO DISQUALIFY AND RECUSE CIRCUIT COURT JUDGE RETIRERED, JOHN K. LOWE PRO-TEM, AND ORDER.

1 between Native American Indians over Land Title Issues, which in Fact the
2 proper Venue lies in the Tribal Court or Federal Court. But to comply with
3 with the Constitution of the United States, FULL FAITH AND CREDIT IS BEING
4 GIVEN TO THIS STATE first by the Latgawa Tribe.

5 This Motion is made in good faith and not for the purpose of delay, and is the
6 first such Motion against the Honorable Judge John K. Lowe, by the Plaintiffs
7 in this Matter.

8 That the last minute Request of this Motion is due to the STONE WALLING OF THE
9 JOSEPHINE COUNTY CLERKS OFFICE (CALENDERING CLERK), We were only told of Judge
10 John K. Lowe being assigned to hear this matter, There reason was that the Clerk
11 that sets Judges for Cases was (Misty) who QUITE HER Position, On (3-13-08) I
12 was informed that Judge John K. Lowe from Clackamas County would be hearing
13 our Case as set out above. No chance to check out the Judges past history or
14 Cases He was active in.

15 Dated; 3-14-08.

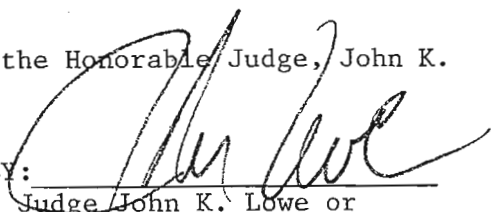
16 BY: 
17 John Grey Eagle Newkirk
18 P.O. Box 1651
19 Medford, Oregon 97501
20 541 664-4080

FILED
MAR 18 2008
JOSEPHINE COUNTY COURTS

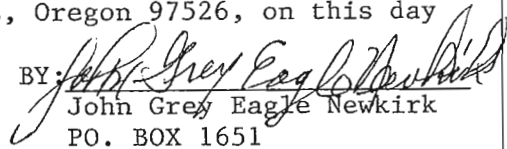
ORDER

19 Based upon this Motion to Disqualify and Recuse the Honorable Judge, John K.
20 Lowe, This Motion is Hereby:

21 Granted Denied

22 BY: 
23 Judge John K. Lowe or
24 Presiding Judge.

25 I, HEREBY CERTIFY that I hand delivered this Motion and Order to Disqualify
26 Judge John K. Lowe to the office and Clerk of the Josephine County Court,
Oregon, located at 500 Sixth Street, Grants Pass, Oregon 97526, on this day
of March 17, 2008 :

BY: 
John Grey Eagle Newkirk
PO. BOX 1651
Medford, Oregon 97501

page 2.

MOTION TO DIQUALIFY AND RECUSE CIRCUIT COURT JUDGE RETIRERED, JOHN K.
LOWE PRO-TEM, AND ORDER.