

SAINT REGIS MOHAWK TRIBAL COURT

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)	Case No.: 18-CIV-00001
Estate of Laura C. McDonald,)	
Deceased)	
)	CLOSING ORDER
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Procedural History

On January 11, 2018, Mr. Daniel P. McDonald, Jr. filed a petition with the Saint Regis Mohawk Tribal Court requesting to be named the Administrator of the Estate of Laura C. McDonald, his wife. Mrs. McDonald died on December 19, 2017. Mr. McDonald submitted a certified family tree from the Saint Regis Mohawk Tribal Clerk's Office certifying that Mrs. McDonald was a tribal member, was married to Mr. McDonald, and had three children: Louie McDonald, Leigh Ann McDonald, and Danielle McDonald.

The Court granted Mr. McDonald the Letters of Administration on February 13, 2018. Mr. McDonald placed the required notice in the local newspaper. Mr. McDonald submitted an inventory on March 28, 2018.

On December 20, 2018, the Court issued a Distribution Order. The Court ordered Mr. McDonald to transfer the decedent's funds located in the KeyBank Estate Account to himself.

On May 2, 2019, Mr. McDonald submitted a statement signed by a representative of KeyBank.

Jurisdiction

Pursuant to the Saint Regis Mohawk Tribe Probate Law, the Court "shall have personal jurisdiction to probate an estate when, at the time of death, (1) the deceased was either a Tribal Member or a person eligible for enrollment as a Tribal Member and the deceased resided or owned real or personal property located within the reservation."¹ Furthermore, "[t]he Tribal Court shall have exclusive jurisdiction to probate real property located within the reservation."²

¹ SRMT Probate Law § 1.3 (a).

² SRMT Probate Law § 1.3. (b) (1).

In the instant matter, Mrs. McDonald, a tribal member, resided within the borders of the Saint Regis Mohawk Indian Reservation. Thus, the Court possesses jurisdiction over the Estate based on the aforementioned reasoning.

Applicable Law

The present action is governed by the Saint Regis Mohawk Tribe Probate Law (SRMT Probate Law).³

Discussion

In this case, the statement signed by the KeyBank representative demonstrates that all the remaining funds have been transferred to Mr. McDonald and the Estate bank account was closed on May 2, 2019.

ORDER

Based on the foregoing, it is: **ORDERED, ADJUDGED AND DECREED** that Daniel P. McDonald, Jr. is released from his duties as the Administrator; it is further **ORDERED, ADJUDGED AND DECREED** that the case is hereby closed.

Signed this 3rd day of May, 2019.



Carrie E. Garrow, Chief Judge
Saint Regis Mohawk Tribal Court

³ SRMT Probate Law (enacted August 16, 2017).