

# SAINT REGIS MOHAWK TRIBAL COURT

---

Estate of Christopher P. Thompson

)  
)  
)  
)  
)  
)  
)  
**DECISION AND ORDER**

**Case No.: 18-CIV-00011**

---

## **Procedural History**

On March 27, 2018, Connie Thompson filed a Petition for Probate with a Will for Christopher Paul Thompson. Mrs. Thompson provided copies of a Will dated March 10, 2018, signed by Mr. Thompson and witnessed by Jerry P. Thompson and Bonnie Cole. Attached to the Will was an Affidavit of Execution of Will signed by Jerry P. Thompson. Mr. Thompson affirmed that he was present and saw Mr. Christopher Thompson sign the will and that he signed the Will in Mr. Christopher Thompson's presence as a witness. Mrs. Thompson also provided a Certificate of Death and a certified family tree. Mr. Christopher Thompson was an enrolled tribal member.

A Status Conference was held on March 28, 2018, and Mrs. Thompson provided a second will that concerned Mr. Thompson's property in the Northern portion of Akwesasne or Canada. Ms. Bonnie Cole, who works for the Mohawk Council of Akwesasne's Office of Vital Statistics, did not provide an Affidavit of Execution and was contacted via telephone. She affirmed she witnessed Mr. Christopher Thompson sign his will and that she signed as a witness in his presence. She also described that her office encourages individuals to make two wills, one concerning their property in Canada and one concerning their property in the United States. She stated Mr. Christopher Thompson signed the will regarding his real property within boundaries of the Saint Regis Mohawk Reservation.

Mrs. Thompson also provided signed statements by herself and Lesley Lang, a beneficiary of the will, waiving any objections to validity of the will and consenting to Mrs. Thompson being named Executor of the Will. Given that the will meets the requirements of the

Saint Regis Mohawk Tribe's Probate Law, the Court found the Will to be valid and signed the Letters of Executorship naming Mrs. Connie Thompson as the Executrix on March 28, 2018.

A Status Conference was held on May 4, 2018. The Saint Regis Mohawk Tribal Clerk's Office provided various deeds to the Court for real property owned by Mr. Thompson. Mrs. Thompson provided the Court with an inventory. She also posted a Notice to Creditors in a local newspaper. No creditors contacted the Court or Mrs. Thompson.

### **Jurisdiction**

The Saint Regis Mohawk Tribe's Probate Code grants the Court jurisdiction over probate matters involving tribal members that own real property or personal property located within the Reservation.<sup>1</sup>

### **Analysis**

The contents named in Mr. Thompson's will include his [REDACTED]  
[REDACTED]  
Estate, as it names a beneficiary. The Savings Accounts and any other bank accounts or bonds shall go to Lesley Lang. The Will also included a provision for life insurance but, similar to a [REDACTED] already includes a designated beneficiary and thus is not part of an estate.

The Will transfers Mr. Thompson [REDACTED] provided she wants to assume the debt. The Will also [REDACTED] Mrs. Thompson indicated that the [REDACTED] been previously given to Mr. Jerry Thompson by Mr. Christopher Thompson. Mrs. Thompson is going to provide a signed waiver by Ms. Lang, waiving any interest [REDACTED]

The Will transfers all real property located on the Saint Regis Mohawk Tribe's territory to Connie Thompson. The Saint Regis Mohawk Tribal Clerk's Office provided the Court with four Right to Use and Occupancy Deeds, outlining the real property owned by Mr. Christopher Thompson. The [REDACTED] All [REDACTED] deeds contain boundary descriptions. There are [REDACTED] one signed on October 14, 2010 and one signed on May 23, 2011. It is clear from the tract descriptions that these are two different pieces of

---

<sup>1</sup> Saint Regis Mohawk Tribe's Probate Code § 1.3(a).

property. The first Deed conveyed [REDACTED]

The SRMT Tribal Clerk's Office also provided several deeds showing Mr. Christopher Thompson had sold portions of his property at various times. Given that he has transferred this property already, this land is not part of his Estate. The SRMT Tribal Clerk's Office also provided an unsigned deed between Mr. Christopher Thompson and Tsiorasa Barriero. Mr. Barriero also provided the Court with a Land Sale Payment Receipt and Right of First Refusal, stating he had made his final payment for this land. This is for land described [REDACTED]

[REDACTED] The unsigned Deed includes a boundary description. Mrs. Connie Thompson indicated that she was aware of this transaction and that it had been paid and she was prepared to transfer the land to Mr. Barriero.

It should also be noted that Mr. Christopher Thompson possessed property within Canada. Mrs. Connie Thompson waived any interest in this property and confirmed that she was working through the probate process in Canada to distribute that property.

### **Order**

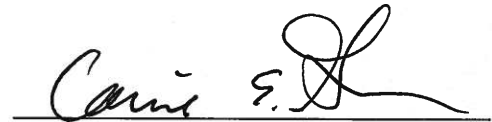
Given that Mr. Christopher Thompson's Will has been found valid, Mrs. Connie Thompson is ORDERED to distribute the items in accordance with the terms of the will and provide proof of the distribution to the Court.

1. Mrs. Thompson is ORDERED to obtain from the SRMT Tribal Clerk's Office a Right to Use and Occupancy [REDACTED] The Deeds shall use the boundaries descriptions contained in the current deeds.
2. Mrs. Thompson is ORDERED to obtain a Right to Use and Occupancy [REDACTED] [REDACTED] transferring the property to Tsiorasa Barriero. The Deed shall list Connie Thompson, Executrix of the Christopher P. Thompson Estate, as the party of the First Part and Tsiorasa Barriero as the party of the Second Part. The deed shall include the boundary descriptions contained in the attached Schedule A.

3. Mrs. Thompson is ORDERED to provide a signed and notarized statement from Lesley Lang that she has been provided [REDACTED]  
[REDACTED]
4. Mrs. Thompson is ORDERED to provide a signed and notarized statement from Lesley Lang that she has received [REDACTED]
5. Mrs. Thompson is ORDERED to provide a signed and notarized statement from Lesley Lang waiving any interest [REDACTED]

Once the Court has received copies of all the newly issued SRMT Right to Use and Occupancy Deeds and the signed and notarized statements from Ms. Lang, the Estate will be closed and Mrs. Thompson will be released from her duties as Executrix of the Estate.

Signed by my hand this 7<sup>th</sup> day of May, 2018.



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