

)	Case No.: 18-CIV-00012
Justin Redeye,)	Estate of Olivia Redeye
Petitioner)	
)	
)	Distribution Order for Decedent's
)	Bank Account Funds
)	
)	
)	

Member who resided on and owned personal property located within the Reservation or (3) anyone who consents to the Tribal Court's jurisdiction."²

In the instant matter, at the time of death, the deceased Olivia Redeye, was an enrolled Tribal Member of the Saint Regis Mohawk Tribe. The Decedent was not domiciled within the boundaries of the American portion of the Saint Regis Mohawk Indian Reservation and did not own real property located within the SRMT portion of the Saint Regis Mohawk Indian Reservation territory.

In the instant matter, Justin Redeye had been appointed the Administrator of the Decedent's Estate by the Indigenous and Northern Affairs Canada (INAC). The probate action before INAC only involves the property located within the Decedent's domicile. Justin Redeye filed an intestate probate petition with this Court to only resolve the Decedent's remaining assets, namely the Massena Savings and Loan checking account. Essentially, Justin Redeye is requesting ancillary letters of administration by this Court in order to probate the remaining assets. An ancillary administrator is defined as, "[a] court-appointed administrator who oversees the distribution of the part of a decedent's estate located in a jurisdiction other than where the decedent was domiciled (the place of the main administration)."³

As previously noted, the Saint Regis Mohawk Tribe Probate Code dictates this Court has personal jurisdiction when one consents to the Tribal Court's jurisdiction.⁴ Here, the Petitioner filed a probate action with the Saint Regis Mohawk Tribal Court, thus, the Petitioner consented to the Court's jurisdiction. Furthermore, the Decedent was an enrolled Tribal member. Therefore, the Court assumes jurisdiction solely for the purposes of resolving the remaining assets.

Discussion

In the case at bar, the Court's record demonstrates the Decedent Redeye, passed away intestate, or in other words, without a will. Thus, the Estate shall be distributed in accordance with the SRMT Probate Law intestate provisions. The only asset in the Estate of the Decedent is the Massena Savings and Loan Checking Account.

² SRMT Probate Law§ 1.3 (a) (1)-(2)-(3).

³ *Black's Law Dictionary* (10th ed. 2014), available at Westlaw BLACKS.

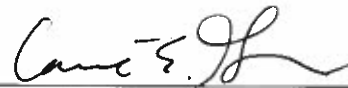
⁴ SRMT Probate Law§ 1.3 (a) (1)-(2)-(3).

ORDER

NOW, THEREFORE, it is ordered:

1. The money in the Massena Savings and Loan checking account of the Decedent, Olivia Redeye in the amount of [REDACTED] shall be transferred to the Petitioner/Administrator Justin Redeye.
2. The Administrator, Justin Redeye shall file proof with the Court that the money from the Massena Savings and Loan checking account of the Decedent Olivia Redeye has been transferred to the Administrator Justin Redeye.

Signed by my hand this 20th day of August 2010.



Carrie E. Garrow
Chief Judge
Saint Regis Mohawk Tribal Court

The parties have thirty (30) days from entry of this Order to file an appeal with the Saint Regis Mohawk Appellate Court.