

IN THE SUPREME COURT
FOR THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI

NATHANIEL WESLEY SPURR,)	Appeal No.: 17-287-AAP
Petitioner/Appellee)	Trial No.: 17-046-PPO-ND
)	ORDER DENYING
vs.)	APPELLANT'S MOTION TO
)	REVERSE TRIAL COURT'S
JOY SPURR, (a/k/a JOY JUDGE))	OCTOBER 6, 2017 ORDER
Respondent/Appellant)	

Before: Smith, Chief Justice; Bird and Fletcher, Justices

Tribal Court Judge:
Attorney for Appellant:

Attorney for Appellee:

Honorable Melissa L. Pope
Stephen J. Spurr, *esq.*, 1114 Beaconsfield Ave.
Grosse Pointe Park, MI 48230-1345
Angela Sherigan, *esq.*, 56804 Mound Road,
Shelby Township, MI 48316

FILED

DEC - 6 2017

NHBP TRIBAL COURT

Appellant JOY SPURR appeals as of right from the Trial Court's October 6, 2017 Notice on Hearing for Motion and Order to Show Cause on Violating a Valid Personal Protection Order. In her appeal, the Appellant contends that the Trial Court should not hear Appellee NATHAN SPURR's motion for show cause for violation of the *Personal Protection Order* (Non-Domestic)(Stalking), also referred to as the *Permanent Harassment Protection Order*, granted on February 17, 2017, because there is a pending appeal with this Court as to the issuance of that order. Appellant further contends that absent this Court's decision on the appeal, the Trial Court can take no action on the hearing or enforcement of the *Personal Protection Order*.

We disagree. Appellant has, in its past filings with this Court, requested a stay of the *Personal Protection Order* granted on February 17, 2017. On July 28, 2017, this Court declined to stay the *Personal Protection Order* pending the outcome of this appeal. Therefore, the *Personal Protection Order* dated February 17, 2017 in this matter remains in full force and effect pending a hearing and decision on the appeal. The Trial Court

may, at its own discretion, do what is necessary to enforce said *Personal Protection Order*, including but not limited to: scheduling and presiding over show cause hearings for alleged violations of same, provided that the due process provisions contained within the Constitution and laws of the Nottawaseppi Huron Band of Potawatomi are followed.

WHEREFORE, ALL PREMISES CONSIDERED;

IT IS ORDERED that the Appellant's Motion to Request Reversal of Trial Court's October 6, 2017 Order is ***DENIED***.

Entered this 6th day of December, 2017.

FOR THE COURT:

Gregory D. Smith
Gregory D. Smith, Chief Justice with permission HLC

I Concur:

Matthew L.M. Fletcher
Matthew L.M. Fletcher, Justice with permission HLC

Holly T. Bird
Holly T. Bird, Justice

Cc: Attorneys for all parties