



CATAWBA NATION TRIBAL COURTS

Catawba Indian Nation  
996 Avenue of the Nations  
Rock Hill, SC 29730

|  |   |  |
|--|---|--|
| <b>PETITIONER:</b><br>Pam Wright<br>Oversight Committee Chair<br>11679 Longbriar Road<br>Rock Hill, SC 29730 | <b>RESPONDENT:</b><br>Rod Beck<br>Executive Committee<br>996 Avenue of the Nations<br>Rock Hill, SC 29730 | 24-GC-0002<br>Case Number<br><br>ORDER |
|--|---|--|

**ORDER OF DISMISSAL**

**THIS MATTER** came before the Court *sua sponte*, upon the Court’s own review of the record and the Court having jurisdiction over this matter pursuant to Catawba Indian Nation General Council Tribal Resolution 2022-11-05 (hereinafter “Governance Ordinance”) and taking judicial notice of the record as filed, the **COURT FINDS:**

1. On October 4, 2024, the Court issued its Order Following Status Conference for the status hearing held on September 26, 2024 (hereinafter “Order”).
2. Per the Order, the parties were directed to file any motions to amend pleadings or substitute parties by October 9, 2024. To date, none have been filed.
3. Per the Order, the parties were directed to file any dispositive motions, including a motion for summary judgment, by October 15, 2024. To date, none have been filed.

4. Per the Order, the parties were directed to attempt mediation by October 31, 2024. To date, mediation has not been attempted, scheduled, or completed.
5. As of this order's date, no pending hearings are set in this matter.

**IT IS ORDERED:**

6. The Petition filed in this matter is DISMISSED.
7. Section 1.04(a) of the Governance Ordinance, which sets forth the authority and jurisdiction of this Court, states in relevant part, "...This Ordinance applies to and governs all agency actions, appealable agency actions and contested cases, except where the procedure governing a particular agency's actions, appeals and contested cases is governed by other laws of the Tribe."
8. Furthermore, Section 1.06(a) of the Governance Ordinance, in relevant part, defines "agency" as follows: "...every agency, board, commission, department, entity, panel, or office authorized by the General Council or Executive Committee to exercise rule-making powers that affect the rights of citizens or to adjudicate contested cases, whether created by constitutional provision or legislative enactment."
9. Additionally, Section 1.06(c) of the Governance Ordinance, in relevant part, defines "Administrative decision" or "Decision" as "...any decision, order, or determination of an administrative agency that is rendered in a contested matter before the agency that affects the legal rights, duties, or privileges of persons and terminates the proceeding before the administrative agency.
10. Section 1.04(a) of the Governance Ordinance sets forth this Court's general authority and jurisdiction referencing "agency" actions.

11. Per the definition of “agency” in Section 1.06(a) of the Governance Ordinance, the Executive Committee is not an “agency”. This Court does not have authority or jurisdiction over the Executive Committee *per se*. Rather, this Court only has authority and jurisdiction to act in matters pertaining to agencies, boards, commissions, departments, entities, panels, and offices authorized by the General Council or Executive Committee, which exercise rule-making powers that affect the rights of citizens or who adjudicated contested cases. This is an important distinction because if the General Council had intended this Court to have such jurisdiction, it would have included it in the Governance Ordinance.

12. Furthermore, the harm seeking redress in the Petition is not an agency action, appealable agency action, or contested case as outlined in Section 1.04(a) of the Governance Ordinance. While the Governance Ordinance does not define these terms, it does define “Administrative decision” and “Decision” in Section 1.06(c). The section defines these terms as “...any decision, order, or determination of an administrative agency that is rendered in a contested matter before the agency that affects the legal rights, duties or privileges of persons and terminates the proceeding before the administrative agency.” Here, a decision has not been rendered in a contested matter before an agency.

13. In light of the foregoing, it is hereby **ORDERED AND ADJUDGED** as follows:

(A) The Petition filed in this matter is **DISMISSED** with prejudice.

(B) The Clerk is **DIRECTED** to **CLOSE** this case.

**DONE AND ORDERED** at the Catawba Indian Reservation, this 10<sup>th</sup> day of January, 2025.



---

**THE HONORABLE JUDGE T.W. TRUEBLOOD**

cc: parties of record