

REBA DEMARRIAS, Pro se
Lead PLAINTIFF/Signatory
P.O. Box 1158
Poplar, Montana 59255
406-650-0674 (message phone)

JUL 11 2016

Clerk, U.S. Courts
District of Montana
Great Falls Division

**IN THE UNITED STATES DISTRICT COURT
MONTANA, GREAT FALLS DIVISION**

BULL CHIEF, JR. MARVIN, AS GUARDIAN) CIV NO.: CY-16-85-GF-BMM-JTJ
FOR STEVEN A. DOUGLAS JR.,)

DUMONT, JR. NATHAN, (HANDICAPPED) MOTION TO WAIVE FILING FEES

AGOSTO, JOEY,) BY AND THROUGH: CIVIL

ALEXANDER, ORIN T.,) RIGHTS ACT, TITLE II, SEC.

BAKER, SCOBEEY,) 202, 203(a), and 204(a), FOR:

BIRDSBILL, SR., ROYCE,) COMPLAINT AND DEMAND

CLANCY, DELANO,) FOR JURY TRIAL.

COMESLAST, LINDA ON BEHALF OF)
DECEASED, COMESLAST ALFRED,)

COMESLAST, LINDA ON BEHALF OF)
ESTATE OF DECEASED, COMESLAST,)
CARRIE,)

CROWE, MARY,)

DEMARRIAS, REBA,)

HINES, TEEY BARRY,)

UNKNOWN HEIRS, ESTATE OF)
DECEASED, HOPKINS, PEGGY,)

JACKSON, JAMES,)

LAVENDURE, JOHN,)

LILLEY, JR., MELVIN,)

MCCONNELL, ANONA P.)
MCCONNELL, HARRIS,)
MEDICINE TOP-JACKSON, ANDREA R.,)
MENZ, SR., DAVID W.,)
RED BOY, SR., DELAND,)
RUNS THROUGH, ADAM,)
RUNS THROUGH, DOUG,)
SCHINDLER, COREY,)
SCHINDLER, SANDY ON BEHALF OF ESTATE)
OF DECEASED SCHINDLER, MYRNA,)
SHAWL, CARRIE,)
UNKNOWN HEIRS, ESTATE OF DECEASED)
KEVIN, SMALL,)
WESTON, SKYLA,)
YELLOWHAWK, ERIC J.,)
YELLOWHAWK, TERRANCE, ET AL.,)
All on their own behalf and on behalf of all)
Persons similarly situated, et al.)
PLAINTIFFS.)
V.)
DSCHAAK, CHRIS, Respondeat superior as Mayor,)
City of Wolf Point, Montana,)
RODENBERG, GRAIG; PAGE, JUDY; PAULSON,)
ROLLIN; EVANS, LAURIE; BRAATEN, TRAVIS;)
BETS HIS MEDICINE, TINA; BLOCK, DAVE;)
MORAN, ASHLEY, Respondeat Superior as)
Councilpersons,)

HARADA, JEFF, Respondeat Superior as Chief of)
Police, City of Wolf Point, Montana,)
)
SWAIN, SCOTT, Dog Catcher, City of Wolf Point,)
Montana,)
)
BEMER, HOWARD, Respondeat Superior as the)
Department of Interior, Bureau of Indian Affairs, Fort)
Peck Agent and Superintendent is the Commander of all)
reservation police on Fort Peck Indian Reservation,)
)
KING, ANGELA, as the Special Agent for the U.S.)
Department of Interior, Bureau of Indian Affairs,)
Office of Justice Services in charge of internal)
Investigation for the Wino Round Up,)
)
AZURE, FLOYD Respondeat Superior as Chairman)
of the Fort Peck Assiniboine and Sioux Tribes, Tribal)
Executive Board and supervisor of all tribal employees,)
)
ANKETELL, STONEY former member of the Fort Peck)
Assiniboine and Sioux Tribes Tribal Executive Board,)
)
WELCH, ROBERT former member of the Fort Peck)
Assiniboinboine and Sioux Tribes Tribal Executive)
Board and Chairman of the Fort Peck Assiniboine and)
Sioux Tribes' Department of Law and Justice,)
)
TROTTIER, KENNETH Supervisory Criminal)
Investigator of the Fort Peck Assiniboine and Sioux Tribes')
Department of Law and Justice who was duty bound to)
report pattern violations of civil and criminal rights of)
tribal members,)
)
HEADDRESS, MICHAEL Supervisor, former Captain)
of the Fort Peck Assiniboine and Sioux Tribes')
Department of Law and Justice,)
)
BOYD, ELAINE Supervisor, former Director of the Fort)
Peck Assiniboine and Sioux Tribes Adult Correctional)
Facility,)
)
MARTELL, FRANK former Lieutenant and currently a)
Criminal Investigator of the Fort Peck Assiniboine and)
Sioux Tribes' Department of Law and Justice,)
)

SUMMERS, JAMES, former Lieutenant and currently)
 Captain of the Fort Peck Assiniboine and Sioux Tribes')
 Department of Law and Justice,)

COMBS, JAMES former Sergeant of the Fort Peck)
 Assiniboine and Sioux Tribes' Department of Law and)
 Justice,)

FREDERICKS, JASON Sheriff Roosevelt County Montana,)

PATCH, RALPH, Roosevelt County Attorney, et al,)

and others as yet unknown,)

DEFENDANTS.)

COMES NOW, afore stated PLAINTIFFS appearing pro se by and through pro se Lead PLAINTIFF/SIGNATORY and MOVES this Honorable Court for a MOTION TO WAIVE FILING FEES BY AND THROUGH THE CIVIL RIGHTS ACT, 1964, TITLE II, SEC. 202, 203, 204(a) FOR: COMPLAINT AND DEMAND FOR JURY TRIAL.

STATEMENT OF FACTS

1. My name is REBA DEMARRIAS. In this action, I am the Lead PLAINTIFF/SIGNATORY in the interest of justice for my fellow PLAINTIFFS'.
2. In support of my request to proceed without prepayment of fees or costs as a Pro se PLAINTIFF, under 28 U.S.C. SEC. 1915, I declare all of the afore stated PLAINTIFFS and myself are unable to pay the costs of these proceedings and all named PLAINTIFFS are entitled to relief in our COMPLAINT AND DEMAND FOR JURY TRIAL, due to the fact all afore stated PLAINTIFFS are indigent. I answer the following questions under penalty of perjury:

a. I am not employed

b. I state to the best of my knowledge none of the afore captioned

PLAINTIFFS are employed.

3. As lead PLAINTIFF/SIGNATORY, the afore captioned PLAINTIFFS were **classified** as “street people,” and “winos,” not fit to partake in the festivities for the Wild Horse Stampede Rodeo’s social activities of this rodco. in violation of: the Civil Rights Act, 1968, TITLE II. SEC. 202, which states in part:

“SEC. 202. All persons shall be entitled to be free, at any establishment or **place**, from segregation of any kind....”

“...if such...segregation is or purports to be required by any law, statute...” The Fort Peck Tribes’ Law and Justice Committee verbally encouraged the Tribal Police to arrest “Street People” and hold them

4. Lead PLAINTIFF/SIGNATORY asserts PLAINTIFF was classified as a “wino” and/or “street person” in violation of this PLAINTIFF’S rights under the U.S. CONSTITUTION, FOURTH AMENDMENT.
5. Lead PLAINTIFF/SIGNATORY asserts the City of Wolf Point Police Officers participated be arresting tribal members who were held without charges in the Tribal jail, **classifying** tribal members as “street people” and/or “winos” in direct violation of their duty to the U.S. CONSTITUTION, FOURTH AMENDMENT thereby violating also the Fort Peck Assiniboine and Sioux Tribes’ codified laws the City of Wolf Point Police swore to uphold in their Cross-deputization agreement with the Fort Peck Assiniboine and Sioux Tribes’ specifically violating the Fort Peck Tribes’ laws that require probable cause or an arrest warrant::

- a. The Fort Peck Tribes’ Comprehensive Code of Justice:
**“C.C.O.J., TITLE 6 – CRIMINAL PROCEDURES,
CHAPTER 2. ARRESTS, Sec. 201. (a)((b)(1)(3)(c)
Sec. 203.(1)(2)(3)(4) Notification of rights at time of**

arrest.”

6. This LEAD PLAINTIFF/SIGNATORY will swear under penalty of Perjury to the statement offered in statement number five.
7. Due to the facts offered in statement number five this LEAD PLAINTIFF/ states all of the captioned PLAINTIFFS were arrest without probable cause, warrants to arrest, without formal criminal charges, nor were **any of these PLAINTIFFS** read their rights ie: Miranda Warning. thereby violating the Civil Rights Act, 1964 Sec. 202.: “All persons **shall** be entitled to be free and Sec. 203.: “No person shall (a) withhold, deny or attempt to withhold or deny, or deprive or attempt to deprive, any person of **any right** secured by section ...202.”
8. This LEAD PLAINTIFF/SIGNATORY certifies that this case: COMPLAINT AND DEMAND FOR JURY TRIAL is of general public importance.
9. This LEAD PLAINTIFF/SIGNATORY invokes under the Civil Rights Act, 1964, **TITLE II, SEC. 204(a)**, wherein:

“the court may appoint an attorney for such complainant and may authorize the commencement of the civil action without the payment of fees, costs, or security.”

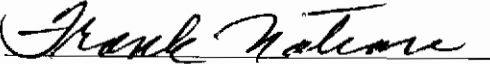
CONCLUSION

WHEREFORE, this LEAD PLAINTIFF/SIGNATORY requests the U.S. DISTRICT COURT, FOR MONTANA DISTRICT OF GREAT FALLS GRANT and recognize in the interest justice due to the injustices committed on all of the afore captioned PLAINTIFFS, these PLAINTIFFS, be allowed to file their COMPLAINT, without fees

And in consideration of the Civil Rights Act, 1964 TITLE II, SEC. 202, 203(a), and 204(a).

SWORN AND SUBSCRIBED pursuant to: **TITLE 18 U.S.C. Sec. 1621 and TITLE 28 U.S.C. Sec. 1746.**


REBA DEMARRIAS Lead PLAINTIFF/SIGNATORY FOR CAPTIONED PLAINTIFFS.


WITNESS

such law enforcement officials shall promptly deliver the individual to the Tribal Court or to the appropriate tribal law enforcement officers for action under tribal laws.

Chapter 3. Tribal Jail

Sec. 301. Duties of the Chief Jailer and jailers.

(a) The Chief Jailer and the assistant jailers are responsible for the safety, cleanliness and general well being of all persons confined as prisoners of the Fort Peck Tribal Court.

(b) The duty jailer shall monitor the Indian police radio frequency, and shall keep an accurate radio log of all police calls and document all complaints, arrests and police calls on the radio log.

(c) The Chief Jailer may from time to time designate reliable prisoners to assist in operation of the jail. Only four (4) such trustees may be allowed outside the cell block at a time.

Sec. 302. Procedures upon arrival of new prisoners.

(a) Upon incarceration of each person held in the Fort Peck Tribal Jail, all personal property in the possession of the person to be confined shall be taken from the prisoner, properly inventoried and stored in a safe place until the person is released from custody.

(b) Any new prisoner who is not intoxicated may use the telephone for one (1) completed call to an attorney or lay counselor and one (1) completed call to a friend or relative prior to being placed in the cell block. Any long distance calls must be made collect.

(c) The prisoner shall then be placed in a cell block for detention until release or further court action.