

United States Court Of Appeals For The Eighth Circuit

No. 15-1580

Sheldon Peters Wolfchild; et al.,

Plaintiffs-Appellants,

v.

Redwood County, et al.,

Defendants-Appellees.

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No. 15-1580

In The
United States Court of Appeals
For The Eighth Circuit

Sheldon Peters Wolfchild, Ernie Peters Longwalker, Scott Adolphson, Morris
Pendelton, Barbara Buttes and Thomas Smith, on behalf of themselves and all others
similarly situated,

Appellants-Appellants,

vs.

Redwood County, et al.,

Defendants-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA,
THE HONORABLE MICHAEL J. DAVIS, CHIEF JUDGE

**BRIEF OF APPELLEE EPISCOPAL
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No. 15-1580

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

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Plaintiffs-Appellants,

vs.

Redwood County, Paxton Township, Sherman Township, Honner Township, Renville County, Birch Cooley Township, Sibley County, Moltke Township, John Goelz III, Gerald H. Hosek, et al., Allen J. and Jacalyn S. Kokesch, Paul W. and Karen J. Schroeder, Chad M. and Amy M. Lund, Rockford L. and Janie K. Crooks, UT School District, Episcopal Diocese of Minnesota, Michael R. Rasmussen, Lee H. Guggisberg Trust UWT, Patrick T. and Nancy S. Hansen, Kelly M. Lipinski, Cynthia Johnson, Mitchell H. Unruh, William and Norman Schmidt, Prouty Properties LLC, Robert D. and Lori A. Rebstock, Allan D. Eller, Elmer C. and Barbara L. Dahms, Marlene A. Platt RT, Eugene A. Engstrom, Enid Guggisberg, Melvin W. and Kerry D. Maddock, Thomas J. Heiling, Keefe Family Farm LLC, Larry Lussenhop, Jon Lussenhop, TJ & CC Properties LLC, Dennis A. and Michelle D. Ausland, Dale R. and Nancy Hanna, Harold Guggisberg, Sandra Clarcken, Julie Anna Guggisberg, Steven R. and Dawn R. Helmer, George F. Schottenbauer, John, Alice and Francis Goeltz, Edward J. Gaasch, Simmons Valley Trust, John C. and Mary J. Simmons, John (L.) Hogan, Timothy H. and Theresa J. Kerkhoff, Sherman Acres LLC, Kenneth Larsen, Henry G. and Judith A. O'Neil, Charles D. Neitzel, Scott A. and Kimberly A. Olafson, Kim M. Cunningham, John H. and Jeanne A. Reynolds, Douglas and Brenda Scherer, Willard and Eugenie Scherer, Bruce Robert Black, Lila L. Black, Neil and Donna Berger Family, Charles Case, Lyle Black Living Trust, Lower Sioux Indian Community, Defendant Doe Nos. 1-500

Defendants-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA,
THE HONORABLE MICHAEL J. DAVIS, CHIEF JUDGE

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**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No. 15-1580

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No. 15-1580

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Plaintiffs – Appellants

v.

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Defendants – Appellees

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
Case No. 14-CV-1597 (MJD/FLN)

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United States Court of Appeals
For The Eighth Circuit

No. 15-2375 and No. 15-3225

Sheldon Peters Wolfchild; et al.,

Plaintiffs-Appellants,

and

Erick G. Kaardal, Plaintiffs' attorney;
Mohrman, Kaardal & Erickson, P.A., Plaintiffs' law firm,

Appellants,

v.

Redwood County, et al.,

Defendants-Respondents.

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NO. 15-3225

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT
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**SEPARATE BRIEF OF PLAINTIFFS-APPELLANTS
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No. 15-2375 and No. 15-3225

**UNITED STATES COURT OF APPEALS
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Plaintiffs-Appellants,

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Erick G. Kaardal, Plaintiffs' attorney;

Mohrman, Kaardal & Erickson, P.A., Plaintiffs' law firm,

Appellants,

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Defendants-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
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BRIEF OF THE LOWER SIOUX INDIAN COMMUNITY

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**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No. 15-2375

Sheldon Peters Wolfchild, *et al.*,

Plaintiffs-Appellants,

vs.

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT
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John Goelz, III, et al.

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**UNITED STATES COURT OF APPEALS
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Plaintiffs-Appellants,

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Plaintiffs' law firm,

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT
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**BRIEF OF APPELLEE LANDOWNERS ROBERT D. AND LORI A.
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C. AND MARY J. SIMMONS, JULIE ANNA GUGGISBERG, LEE H.
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15-1580

SHELDON PETERS WOLFCHILD, ET AL

VS

REDWOOD COUNTY, ET AL

AMICUS CURIAE BRIEF

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U.S. COURT OF APPEALS
EIGHTH CIRCUIT

CONCLUSION

This lawsuit should be dismissed against the defendants: the private landowners, the cities and municipalities, the Lower Sioux Indian Community, and the Church, for those 1865 lands because: 1) the February Act of 1863 gave no authority to the Secretary to purchase lands in Minnesota to any of the Sioux and even if it did, 2) alternative lands were offered and accepted by the individuals of the Mdewakanton band, the 1886 lands.

Plaintiffs are estopped from claiming any other lands:

(A tribe is estopped to claim any lands ceded to them by a treaty which describes boundaries including lands not then within the limits of the United States, where by a subsequent treaty and grant, accepted by them without objection, they have received lands identical with those ceded by the earlier treaty, so far as such lands lay within the limits of the United States. U.S. v Choctaw Nation, 179 U.S., 494; 21 S. Ct., 149; 45 L. Ed., 291.)



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NO. 15-3225

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT
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**SEPARATE REPLY BRIEF OF PLAINTIFFS-APPELLANTS
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