

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 21-1570

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Miriam C. Montileaux; Charles T. Montileaux, Sr., individually and as special  
administrator of the estate of Cheryl Montileaux and Charles T. Montileaux, Jr.;  
Naomi Montileaux

*Plaintiffs - Appellants*

Cheryl Montileaux, Deceased; Charles T. Montileaux, Jr., Deceased

*Plaintiffs*

v.

The Diocese of South Dakota, Episcopal; Chapter of Calvary Cathedral, Holding  
Company for Diocese; Jonathan Folts, The Right Reverend; Randy Reinartz,  
Bishop; Trustee First National Bank, in Sioux Falls, South Dakota; Tom Benz,  
Employee; Alan Meyers, of Wealth Management Dept.; Bob Baker, President of  
Bank; Chris Ekstrum

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of South Dakota - Western

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Submitted: July 21, 2021  
Filed: July 26, 2021  
[Unpublished]

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Before LOKEN, KELLY, and ERICKSON, Circuit Judges.

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PER CURIAM.

Appellants, who are members of the Montileaux family and the Oglala Sioux Tribe, brought this action claiming violations of the Treaty of Fort Laramie of 1868. The district court<sup>1</sup> dismissed the action without prejudice for lack of subject matter jurisdiction, and the Montileauxs now appeal. After careful review of the record and the parties' arguments on appeal, we conclude that dismissal was proper for the reasons explained by the district court. See Buckler v. United States, 919 F.3d 1038, 1044 (8th Cir. 2019) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.