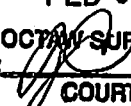


**FILED**

FEB 04 2011

IN THE SUPREME COURT  
OF THE  
MISSISSIPPI BAND OF CHOCTAW INDIANS  
CHOCTAW SUPREME COURT  
BY:   
COURT CLERK

DALTON J. HENRY

APPELLEE

vs.

SC 2010-02

VIRGIE LEE BEARD HENRY

APPELLANT

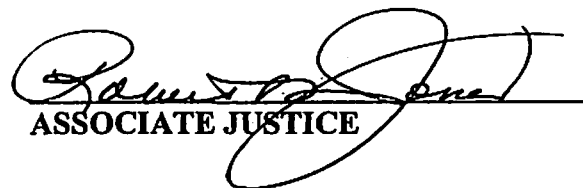
**FINAL ORDER ON INTERLOCUTORY APPEAL**

The Interlocutory Appeal is granted. After Oral Argument on this date this court adjudicates that the lower court Judge should have a full evidentiary hearing on the requirements of Choctaw Civil Procedure Rule 4(h) and any jurisdictional issues raised by the defendant in the pleadings filed by her attorney. The letter filed March 24, 2011 is not to be an impairment to the legal issues raised by the defendant's attorney. The letter having been filed premature to the expiration of 120 days is only a fact to be considered by the lower court, but should not be controlling on the legal issues raised in this particular case.

SO ORDERED and ADJUDGED, on this the 4<sup>th</sup> day of February 2011.

  
CHIEF JUSTICE

  
ASSOCIATE JUSTICE

  
ASSOCIATE JUSTICE

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this, the 4<sup>th</sup> day of February, 2011 caused to be forwarded via U.S. mail, a true and correct copy of the above and foregoing document to the below listed counsel of record.

Honorable Steven D. Settlemires  
Settlemires, Graham & Mills  
401 East Beacon St.  
Philadelphia, MS 39350

Hon. Timothy Taylor  
Attorney at Law  
120 Cemetery Road  
Choctaw, MS 39350

Hon. Christopher Collins (Hand Delivered)  
Choctaw Tribal Court Judge  
P.O. Box 6012  
Choctaw, MS 39350

  
\_\_\_\_\_  
JANE CHARLES, COURT CLERK