

FILED

FEB 15 2017

CHOCTAW SUPREME COURT  
BY: *[Signature]*  
COURT CLERK 11:58am

IN THE CHOCTAW SUPREME COURT  
MISSISSIPPI BAND OF CHOCTAW INDIANS

MIKE ANDERSON

APPELLANT

VS.

CIVIL ACTION NO.: SC 2016-08

AUDRIANA POLK

APPELLEE

AGREED ORDER OF DISMISSAL

THIS DAY, this cause came on to be heard on the *Motion to Dismiss* filed herein by the Appellant, Mike Anderson, and the Court having considered same, does hereby find, order, adjudge and decree as follows:

I.

The Court has jurisdiction of the subject matter and parties.

II.

That the above-styled and numbered cause should be dismissed due to this matter being resolved by and Agreed Order of the Civil Court of the Mississippi Band of Choctaw Indians.

SO ORDERED, ADJUDGED AND DECREED, this the 15<sup>th</sup> day of February, 2017.

*[Signature]*  
\_\_\_\_\_  
SUPREME COURT JUDGE



*[Signature]*  
\_\_\_\_\_  
STEVEN D. SETTLEMIRE  
ATTORNEY FOR APPELLANT

*[Signature]*  
\_\_\_\_\_  
MARY NARRON  
ATTORNEY FOR APPELLEE

FILED

FEB 15 2017

IN THE CHOCTAW SUPREME COURT  
MISSISSIPPI BAND OF CHOCTAW INDIANS

CHOCTAW SUPREME COURT  
BY: *[Signature]*  
COURT CLERK 11:58am

MIKE ANDERSON

APPELLANT

VS.

CIVIL ACTION NO.: CC 2016-08

AUDRIANA POLK

APPELLEE

**MOTION TO DISMISS**

COMES NOW the Appellant by and through his attorney of record, and files this his Motion to Dismiss the Appeal filed by the Appellant herein and in support thereof would show unto the Court the following:

1. The Appellant filed a Notice of Appeal in this matter on or about August, 2016. The Appellee has not entered an appearance or responsive pleading in this cause.
2. The Appellant would show that this matter has been successfully resolved by virtue of an Agreed Order in the civil court of the Mississippi Band of Choctaw Indians and the appeal is now moot. Said Order is attached hereto as Exhibit "A".

WHEREFORE, PREMISES CONSIDERED, the Appellant hereby requests that this Honorable Court enter an Order Dismissing the Appeal filed by the Appellant. Further, the Appellant prays for such other relief, both general and special, as he may be entitled to receive and duty bound will ever pray.

Respectfully submitted, on this the 15<sup>th</sup> day of February, 2017.

MIKE ANDERSON, APPELLANT

BY: *[Signature]*  
STEVEN D. SETTLEMIRE  
ATTORNEY FOR APPELLANT

**CERTIFICATE OF SERVICE**

I, Steven D. Settlemires, do hereby certify that I have this date delivered via facsimile and by mailing a copy first class mail, postage prepaid, a true and correct copy of the above and foregoing Motion to Dismiss to the following:

Honorable Mary Narron  
Attorney At Law  
Post Office Box 6212  
Choctaw, MS 39350

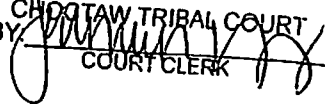
Witness my signature on this the 15<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
STEVEN D. SETTLEMIRE  
ATTORNEY AT LAW

FILED

FEB 13 2017

IN THE CHOCTAW TRIBAL COURT  
MISSISSIPPI BAND OF CHOCTAW INDIANS

CHOCTAW TRIBAL COURT  
BY   
COURT CLERK

MIKE ANDERSON

PETITIONER

VS.

CIVIL ACTION NO.:

AUDRIANA POLK

RESPONDENT

**AGREED ORDER**

THIS CAUSE CAME ON FOR HEARING on the Petition for Custody filed by Mike Anderson, and he and Adriana Polk having appeared and announced to the Court they had reached a settlement and the Court after having heard the terms thereof does hereby find, order and adjudge and decree as follows;

I.

The Court has jurisdiction of the parties and the subject matter herein.

II.

The parties would show unto this honorable Court that this matter is currently on Appeal with the Choctaw Supreme Court of the Mississippi Band of Choctaw Indians in Civil Action No.: SC2016-08. However, the parties have reached an agreement and would show that the minor children have been and are currently living with the Petitioner.

III.

The Court finds that Mike Anderson and Audriana Polk carried on an intimate relationship from about January, 2010, to September 2015, and as a result of this relationship and union three children were born unto the parties namely,, M.H.A, born 2012, M.M.A, born 2014, and M.B.A, born 2015.

IV.

The parties herein agree that Mike Anderson shall have physical custody with the mother and father having joint legal custody of the minor children, M.H.A, born 2012, M.M.A, born 2014, and M.B.A, born 2015. Further, they shall communicate on all matters relating to the health, education and welfare of the minor children. The parties agree Mike Anderson is able to properly care for the

4. Other Reasonable Visitation

In addition to other visitation rights specified herein, the non-custodial parent shall have such other and further visitation rights with the minor child as may be agreed upon by the parties.

5. The non-custodial parent shall be responsible for picking up the child and delivering them back to the home of the custodial parent. Unless otherwise agreed upon, the non-custodial parent has a 30 minute period in which to pick up the child for the stated visitation.

VI.

The Parties herein agree that there should be no child support ordered at this time. That the child support obligation of Mike Anderson to Audriana Polk shall cease immediately. Further, Audriana Polk and Mike Anderson agree that Mike Anderson has provided food, clothing, and shelter to the minor children since September 1, 2016 and is in no way delinquent on his child support obligation.

VII.

The parties shall on a year to years basis decide amongst themselves who gets the deductions for each of the minor child on his or her state and federal income tax returns. It is the intention of this provision to maximize this deduction for the use and benefit of the parties minor children.

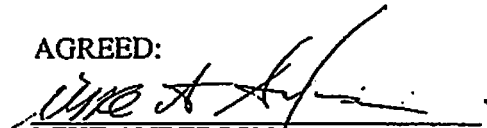
VIII.

The Parties herein agree that Mike Anderson shall be named as the payee for the minor children's bi-annual distribution check issued by the Mississippi Band of Choctaw Indians and that this Court issue its Order to the Finance Department, Mississippi Band of Choctaw Indians, to issue the semi-annual distribution check due to the minor child to Mike Anderson for the use and maintenance of the minor children.

SO ORDERED AND ADJUDGED, this the <sup>16</sup>3 day of February, 2017.

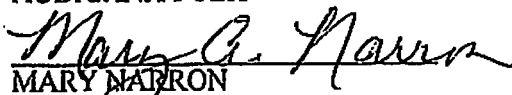
  
\_\_\_\_\_  
JUDGE

AGREED:

  
MIKE ANDERSON

  
STEVEN D. SETTLEMIRE  
Attorney for Mike Anderson

  
AUDRIANA POLK

  
MARY HARRON  
Attorney for Audrianna Polk