



Stand Up For California!

"Citizens making a difference"

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January 15, 1999

Cheryl Schmit, Co-Director
Patty Neifer, Co-Director

Honorable Janet Reno
United States Attorney General
Department of Justice
Washington D. C.
By Facsimile - 202/514-4507

RE: Coarsegold, Madera County California. Tribes building a Casino on land that Is not trusting land.

Dear Attorney General Reno:

On behalf of *Stand Up For California!* I am writing this letter again in response to the recent letter that Donna A. Bucella, Director, Executive Office for U. S. Attorneys has sent in reply to two previous letters in the month of November. These two letters outlined events in California that were taking place illegally under the guise that passage of Prop. 5, has suddenly made the illegal actions of Indian tribes legal. I am including with this letter some exhibits for your review that will further document the situation at Coarsegold, Madera County California.

This tribe the Chuckchansi of the Picayune is a Tille Hardwick tribe. Their land was taken from them illegally in the 1920's and 30's. They were restored to federal status by the Supreme Court Case of Tille Hardwick vs. the United States in 1983. California has 17 Tillie Hardwick Tribes. The individual Indian that has control of the trust land is not the tribal chairman, and does not wish to see a casino on this site, in fact he was disbanded by the new chairman that was brought in by open enrollment.

The land that the tribe is building on is simple fee land, located contiguous to the sovereign trust land under the control of one individual Indian. The tribe actually owed back taxes on this land. The county is hesitant to confront this tribe due to a previous lawsuit where the tribe says the questionable land is "Indian Country". The Indian Gaming Regulatory Act, Section 2703 does not outline that tribes have the authority to place class III, Class II, or Class I, casinos on land declared "Indian Country".

Once again, this should simply be a policy matter. A letter from you reminding the tribe of the process that they must follow would be sincerely appreciated. I must ask, in this case it would seem appropriate that the U. S. Attorney of the Eastern District, Attorney Paul Seave would have the authority to stop any building by a tribe that does not have a permit or conform to the Indian Gaming Regulatory Act. A letter from the U. S. Attorney Paul Seave to the Madera County Supervisors would give the county some backbone to uphold the rule of law for the citizens of California, and prevent the tribes from suing the County of Madera or the citizens of Indian Lake Estates.

California's gaming policy specially states that unregulated and illegal gambling enterprises are inimical to the public health, safety, welfare and good economic order of

the state. Citizens of California oppose gambling that is not permitted by the laws of this state and by the ordinances local governmental bodies. *Stand Up* questions that even with a tribal state compact will the state have the authority to prevent tribes who are encouraged by their investors and attorneys to building these illegal facilities under the advice that there is no federal judge that will shut them down. (Review Judge Ishi's Case in the Eastern District).

On behalf of the many citizens supporter of *Stand Up For Californian* and the 480 homeowners of the Indian Lakes Estates we request a letter, to this tribe, their attorney, and their investors, to abide by the process outlined in the Indian Gaming Regulatory Act. **Further we request that this tribe and their attorney be instructed that the Indian Gaming Regulatory Act does not sanction gaming by a tribe on land declare "Indian Country"**.

This community needs a remedy. Please advise.

Most Sincerely,

A handwritten signature in cursive script that reads "Cheryl A. Schmit". The signature is written in black ink and is positioned to the right of the typed name.

Cheryl A. Schmit
Co Director

Cc: Donna Bucella

Attached: I am sending to you a file on Coarsegold. This file includes letters from the tribe and the citizens, news articles, and tribal documents. This information should make it clear to you that an immediate remedy needs to take place.