

UNITED STATES DEPARTMENT OF THE INTERIOR

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22208

WILLIAM C. TUTTLE)	Appellant's Motion for Leave to File
Appellant,)	Supplemental Brief of Appellant
)	Providing Newly Discovered Materials
v.)	Previously Not Disclosed by Appellee or CRIT
)	
ACTING WESTERN REGIONAL)	Docket No. IBIA 10-135
DIRECTOR, BUREAU OF INDIAN)	
AFFAIRS,)	
)	
Appellee.)	
_____)	

COMES NOW Appellant WILLIAM C. TUTTLE and moves for leave to file his Supplemental Brief of Appellant Providing Newly Discovered Materials Previously Not Disclosed by Appellee or CRIT.

Appellant respectfully submits that the following information is directly relevant to the issues pending before this Honorable Board. Specifically, Appellant has recently learned that the Attorney General of the Colorado River Indian Tribes ("CRIT") was formally advised some two and one half years ago that the State of California has concluded that no land on the West Bank of the Colorado River is within CRIT's reservation.

This appeal is based on the fact the Secretary's terminated Appellant federal lease at the direction of the Colorado River Indian Tribes ("CRIT"), after Appellant had satisfied all financial requirements and despite the fact that the leasehold is not within CRIT's Reservation as a matter of federal law. CRIT has long claimed that the Appellant's leasehold land, as well as

other acreage within California on the West Bank of the Colorado River is within its Reservation, a contention repeated challenged by private parties residing on that land. We now know that California formally rejected CRIT's claims in September 2008. Yet, CRIT Attorney General Eric Shepard has concealed the formal position articulated in writing by Legal Affairs Secretary to former Governor Arnold Schwarzenegger Andrea Lynn Hoch in response to what apparently was an attempt by CRIT to develop a casino project in California on "reservation lands."

The purpose of Appellant's Supplemental Brief is bring to this Honorable Board's attention the legal position of the State of California, which supports that of Appellant, as well as the fact that Secretary Hoch's letter has never been disclosed, and perhaps deliberately concealed, by General Shepard. Whether any federal attorneys were aware of its existence until this time is not known.

WHEREFORE, Appellant TUTTLE respectfully requests that his Supplemental Brief be accepted for filing in this matter.

DATED this ___ day of March, 2011.

Respectfully submitted,

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