

West Bank Homeowners Association

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A WIN for West Bank!!! Astoundingly good news from the CRIT Tribal Appellate Court!!!

PRESS RELEASE – March 7, 2013

Tribal Court Strikes Down CRIT's Claim for Back Rent in *CRIT v French* and Sets a Statute of Limitations of 3 Years

According to the Court's Opinion and Order filed February 20, 2013, CRIT must abide by a 3-year statute of limitations. Damages awarded by the CRIT Tribal Court for 15 years back rent on French's permit have been reduced to only 3 years by the Tribal Appellate Court. In addition, the court ruled that CRIT is not entitled to any back rent, only damages for "lost rental value". The net effect will be that all residents who have not signed a new lease with CRIT are only obligated for 3 years of lost rental value to CRIT. **That represents an 80% reduction in CRIT's claims against the residents.** By our estimates of the number of Permittees who have not signed the new lease, this will result **in a net loss to CRIT of approximately \$3.5 Million.**

The Tribal Appellate Court also had reservations about awarding CRIT attorney's fees, with 1 of the 3 justices submitting a dissenting view over the Court's affirmation of the lower court's ruling. On all other items, the Court as expected upheld the lower court's rulings on jurisdiction and other damages. Also as expected, the Tribal Appellate Court ignored all evidence in the case regarding the boundary dispute, constitutional rights, the U.S. Supreme Court, CRIT's admission of a boundary dispute, and CRIT's own constitutional law. The hostility by the justices toward French was obvious at trial and the Court's Opinion and Order showed once again that the CRIT court system makes no effort to hide its lack of impartiality or that its purpose is to protect CRIT, its employer.

Of particular concern are claims in the Court's ruling that French is not entitled to due process rights for property taken by CRIT. This in combination with the refusal of the Riverside County Sheriff to require due process for CRIT "self help" evictions leaves the residents at risk to CRIT stealing personal property, or even seizing properties as done recently at Lingle Akins. (See Press Release of February 20, 2013)

This legal victory is historic. It represents the first time in the 50-year history of Disputed Area that any resident has won on any legal matter before any court, let alone a Tribal court. But in spite of our success on the issue of statute of limitations, we must continue with the lawsuit into federal court if we are ever to achieve our primary goal of reestablishing our constitutional rights which are currently being denied. And until both CRIT and the Riverside County Sheriff are instructed by a federal court to honor those rights, we will continue to be at risk of continued illegal confiscation of property by CRIT and their partners in crime, the Riverside County Sheriff.

For further information, please see our website:

www.westbankmembers.com