

SUPREME COURT OF NORTH DAKOTA

980166

Warren Buffalo, Sr., Defendant vs. Esther Buffalo, Plaintiff) The Honorable Maurice R. Hunke) Supreme Court No: 980166) Case No: 45-88-C-00163/001) MOTION FOR LEAVE TO FILE FOR RECONSIDERATION) FOR THE BRIEF FOR APPEAL OF THE ORDER ENTERED) APRIL 06, 1998, DOCKETTED IN THE SUPREME) COURT OFFICE OF THE CLERK ON AUGUST 06, 1998.	FILED IN THE OFFICE OF THE CLERK OF SUPREME COURT JAN 7 1999 STATE OF NORTH DAKOTA
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Appellant, Warren Buffalo, Sr., hereby move the Honorable Court to reconsider his ruling on the Brief for Appeal of the Order Entered April 06, 1998 filed in his court on August 06, 1998, in order to correct the injustice suffered by the Appellant.

Sir, the Appellant, presented this motion based upon the following fundamental reasons set forth below:

- 1.) That on Adoption proceeding which was conducted in compliance with the Adoption Statutes as the kind existed between Esther Buffalo and Warren Buffalo, Sr., under the supervision of the state, terminates all the Appellant's legal responsibilities, thereafter Warren Buffalo, Sr., is under no obligation to support the adopted children but is relieved from legal responsibilities for them. According to the American Jurisprudence 2d, §172, support of Adopted Child, W90.
- 2.) That while upon the adoption of the children, the primary duty of supports of the adopted children are imposed upon the adopting parent. The new parent's obligation is the same as if he was a natural parent and the adopted children are entitled to the same support and maintenance from him and not from Warren Buffalo, Sr., immediately the Adoption procedure is completed. American Jurisprudent, 2d, §179, Duty to Support Child, 1100.

Sir, granting this motion for reconsideration regarding the initial decision will aide this court to correct the injustice that Warren Buffalo, Sr., has suffered.

Sir, Appellant, Warren Buffalo, Sr., only asked the court to base his decision upon who is legally responsible to support mine adopted children since mine parental rights had been terminated at the execution of the adoption proceedings and correct the pre-judice that occurred during the past eight (8) years.

Date: January 07, 1998

Respectfully Submitted,

Warren Buffalo Sr.
Warren Buffalo, Sr., Reg. #:04596-073
P.O.Box 1500 Unit D Room 221
FCI, Waseca, MN 56093

CERTIFICATE OF SERVICE

I, Warren Buffalo, Sr., hereby certify that the MOTION FOR LEAVE TO FILE FOR RECONSIDERATION FOR THE BRIEF FOR APPEAL OF THE ORDER ENTERED APRIL 06, 1998, was served via U.S. First Class Mail on January 07, 1998, to the following:

LEE ARMSTRONG, ATTORNEY
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Respectfully Submitted,

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P.O.Box 1500 Unit D Room 221
FCI, Waseca, MN 56093

Date: January 07, 1998