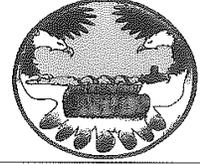


**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS**

**Tribal Court  
Civil Division**



Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Phone: 231-242-1462

**ORDER CLOSING CASE FILE**

Case No: C-154-1112

The Little Traverse Bay Bands of Odawa Indians Tribal Court  
**Plaintiff,**

v.

Rachel Rodriguez,  
**Defendant,**

The Defendant was found guilty of Contempt of Court at a Contempt of Court Hearing held on 11/28/2012, and Ms. Rodriguez was ordered to serve 40 hours of community service to be completed by 12/31/2012, Ms. Rodriguez was to be responsible for arranging said community service, Tribal Probation Officer Mary Roberts must approve of Ms. Rodriguez's community service, and in addition Ms. Rodriguez must have had negative drug screens in order to continue with scheduled visitation with Inocencia.

It has been confirmed that Ms. Rodriguez did successfully complete all of the Courts requirements by probation officer Mary Roberts.

**THEREFORE, IT IS ORDERED** that this case be closed.

2/25/14  
Date

[Signature]  
Hon. Allie Greenleaf Maldonado, Chief Tribal Judge

**CERTIFICATE OF SERVICE**

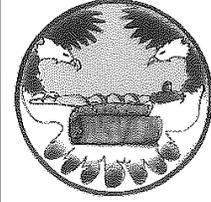
I certify that copies of this *Order Closing Case File* were served upon the parties by fax or First Class Mail.

February 25, 2014  
Date

[Signature]  
Court Clerk

LITTLE TRAVERSE BAY BANDS OF  
ODAWA INDIANS

Tribal Court  
Civil Division



Court Address: 7500 Odawa Circle, Harbor Springs, MI 49740 Phone: 231-242-1462

Case No: C-154-1112

**Plaintiff:**

Little Traverse Bay Bands of Odawa Indians Tribal Court

v.

**Defendant:**

Rachel Rodriguez

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**ORDER AFTER CONTEMPT OF COURT HEARING**

On November 26, 2012 at approximately 5pm, Tribal Court Probation Officer Mary Roberts hand-delivered an order of the Court to Rachel Rodriguez regarding her daughter Inocencia Rodriguez's participation in YC-014-0612. That Order had the following condition:

"Due to the Juvenile's suspension from Pellston Public School there will be three days of in-home detention for the time period of November 26, 27 and 28, to be served at 6004 Pells Street residence, with permission to leave the residence granted only by contacting Probation Officer Mary Roberts for approval."

On November 28 during Drug Court for case YC-014-0612, Ms. Roberts informed the Court that Rachel Rodriguez violated the aforementioned Court order.

Thereafter, a hearing was held to determine whether Rachel Rodriguez committed Contempt of Court by causing her daughter Inocencia Rodriguez to leave Court-ordered, mandatory, in-home detention on November 27, 2012.

Probation Officer Mary Roberts testified to the following:

On November 27 at approximately 2:30pm Probation Officer Mary Roberts was visiting the Pellston school when she witnessed Inocencia Rodriguez being transported by Garland Martel in Rachel Rodriguez's car with Rachel Rodriguez in the passenger's seat in violation of the aforementioned Court order that required Inez to serve in-home

detention. Ms. Rodriguez exited the vehicle and approached Ms. Roberts' vehicle on the road. Ms. Rodriguez stated that they were on their way to a doctor's appointment for Mr. Martel and wanted to know if they had to turn around and go back home. Ms. Roberts asked Ms. Rodriguez what Inez was doing out of detention without permission. Ms. Rodriguez claimed that she didn't know her daughter had to stay home because she didn't read the Court order Ms. Robert's hand delivered the night before. Ms. Roberts did not believe Ms. Rodriguez explanation because on November 21 Ms. Rodriguez participated in a lengthy discussion at the Drug Court Team meeting which resulted in the Drug Court Team explaining to Ms. Rodriguez that because her daughter was being suspended from school for three days the Drug Court Team was going to recommend to the Judge that Inez serve her suspension in either secure or in-home detention at the discretion of the Judge.

Ms. Roberts confirmed that they had to return Inez home and followed them back home. Ms. Roberts entered the home and instructed them not to leave again without permission. Ms. Roberts noticed the order was laying open in full view.

Ms. Rodriguez testified that although she opened the order and read part of the order, she did not read the part of the order regarding detention. When asked if she understood that detention was going to be part of the order based on the previous week's conversation, she said she did but she thought someone would call her and verbally tell her how the detention would be served as opposed to that information being placed in a written order. The Court did not find her testimony credible based on the entirety of the circumstances and her body language.

Tribal law defines contempt of court in WOS 6.3205 (7) as, "Failure to comply with an order of a Court." The Code also requires that in order for the Court to find someone in Contempt of Court, the Court must find that the act or omission was willfully contemptuous; or the act or omission was preceded by a clear warning by the Court that the conduct is improper.

Ms. Rodriguez has participated weekly with her daughter in her daughter's case since July of 2012. On a weekly basis she has been given orders to read that she is responsible for making certain her daughter follows those orders. This week was no different. Furthermore, Ms. Rodriguez was put on clear notice that her daughter would be serving detention during her suspension from school. The only question was whether the detention would be in-home or at a secure facility. The Court finds Ms. Rodriguez' explanation for her supposed ignorance regarding in-home detention untruthful and completely illogical. While Ms. Rodriguez admits that she was aware that Inez would have to serve detention either in-home or at a facility, the idea that she would not read the complete order to find out for certain where the detention would be served is beyond believability.

Allowing Inez to serve her detention in-home instead of at a facility was a gift. What Ms. Rodriguez did in facilitating her daughter's removal from detention was tantamount to breaking a person out of jail. Ms. Rodriguez' attitude that her actions were

no big deal is reprehensible. The example that she set for her troubled and very impressionable daughter deeply concerns this Court.

### FINDINGS

1. The Court finds Ms. Rodriguez' testimony that she opened the order, read part of the order, but did not read the whole order, was dishonest.
2. The Court finds that Ms. Rodriguez purposefully and with willful contempt caused Inocencia Rodriguez to leave in-home, Court-ordered detention.
3. The Court finds Ms. Rodriguez guilty of Contempt of Court.

Therefore it is so **ORDERED** by the Court:

1. Ms. Rodriguez shall serve 40 hours of community service by December 31, 2012;
2. Ms. Rodriguez shall be responsible for arranging said community service;
3. Tribal Probation Officer Mary Roberts must approve the community service;
4. In order for Ms. Rodriguez to participate in a scheduled visit with Inocencia while she is attending BASES, Rachel must have negative drug screens. Positive/inconclusive drug screens will be sent in for further analysis and visitation will be denied for that visit or until a satisfactory analysis outcome is received.

12/6/12  
Date

  
\_\_\_\_\_  
Honorable Allie Greenleaf Maldonado

CERTIFICATE OF SERVICE

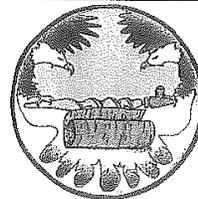
I certified that on this date a copy of this *Order* was served by Personal Service or by First-Class Mail upon the Defendant.

10-6-12  
Date

Mary Pedersen  
Tribal Court Officer

LITTLE TRAVERSE BAY BANDS OF  
ODAWA INDIANS

Tribal Court  
Criminal Division



Court Address: 7500 Odawa Circle, Harbor Springs, MI 49740 Phone: 231-242-1462

Case No: C-154-1112

Defendant:

Rachel Rodriguez

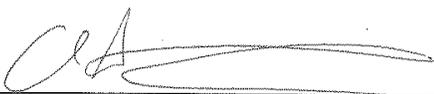
**ORDER TO APPEAR**

You are order to appear in Tribal Court for the following proceeding at the date and time shown below:

<u>TYPE OF HEARING</u>	<u>DATE</u>	<u>TIME</u>
Contempt of Court	11/28/12	5:00 p.m.

Failure to appear may result in contempt of court charges.

11/28/12  
Date

  
Honorable Allie Greenleaf Maldonado

**CERTIFICATE OF SERVICE**

I certified that on this date a copy of this *Order to Appear* were served by Personal Service or by First-Class Mail upon the Defendant and to the Prosecutor by LTBB Internal Mail.

11-28-12  
Date

  
Tribal Court Officer

