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January 10, 2020

Mooretown Rancheria
Chairman Ben Clark and Tribal Council
1 Alverda Drive
Oroville, CA 95966

Re: Request to place Ina Jackson Martin family back as Lineal Members

Dear Chairman Clark and Tribal Council:

I am requesting on behalf of myself and the Ina Jackson Martin family for you and the current Tribal Council to correct a mistake that was completed on February 23, 2005, March 10, 2005 and on March 15, 2005. We are requesting that Ina Jackson Martin family back as lineal members of Mooretown Rancheria. Our family should have never been reclassified. When this all occurred many issues came up that violated our own Tribal Constitution and violated our family's due process. After years of gathering documentation and reviewing all official records, Grabowski and Associates report is now voided and that was what was used to reclassify our family.

Grabowski and Associates were hired per Gary Archuleta (Mooretown Letter dated April 22, 2006) to perform a Documentary Review of the Lineal Membership. Dr. Christine Grabowski was not an attorney and she violated many things in her report that was against her own oath. She also added a third definition "wife" in her report and made a legal decision in which she did not have the authority to have. On March 10,

2005 our family presented everything to prove Ina was a distributee but Gary Archuleta and Tribal Council stated that our evidence could not be taken for face value.

Now this issue comes before you all today. I am not sure if you all have ever seen any of these documents that I am sending till today but I pray you all review all of the evidence I am presenting and see that these records are all records received from the Bureau of Indian Affairs, Mooretown Rancheria, or the State of California.

Letters show that both Robert and Ina Jackson received old age security payments and they both have lived on land for 18 years. Per the letters it shows that Robert and Ina Jackson both worked on the land jointly and their request was for a clear fee simple title to the land they occupied. Letter from the BIA shows where BIA Commissioner Jenkins acknowledged Robert and Ina were concerned over the distribution of Mooretown and assured them that their interest at Mooretown will be protected. These records would show that Ina Jackson did not receive more than half of Roberts support but it was 50/50 when it came to working on land and income as well as the BIA stating they would protect both their interest. According to BIA's definition of dependent, Ina would have had to receive more than half of Robert's support. Robert and Ina both had income, and worked the land. Grabowski and Associates failed to review what it took to be a dependent as well as the Plan for distribution stated it would only state Distributees or Dependents, not spouses.

Ina Jackson and Robert Jackson by this time had been married for about 42 years. The current law at the time in the state of California, *California Civil Code Family Chapter Section 161a Community Property. The respective interests of the*

husband and wife in community property during continuance of the marriage relation are present, existing and equal interests under the management and control of the husband as is provided in sections 172 and 172a of the Civil Code. This section shall be construed as defining the respective interests and rights of husband and wife in community property. Community Property means that all assets purchased or acquired by a couple during their marriage are **owned equally by both of them**. It is the case regardless of how the asset is titled. Ina Jackson was equal to Robert but because he was the head of household his name was stated on the Title. Kate Archuleta's husband was non-Indian so he being the head of household did not matter because he had no rights to land.

In the letters from Robert and Ina it states and reference to Public Law 85-671 that the undersigned (Robert and Ina Jackson) summarize their reasoning for asking for a clear fee simple title to the land they are occupying. In the closing of letter it states again *"Therefore it has been our hope for years to one day have clear title to the land we occupy, that we could rest assured we own our home and to protect our investment and labor we have expended here."* Robert and Ina Jackson should not have had to request title to the land as separate individual's grantees or distributees as by this time they had been married for about 42 years, Under California Family Civil Code Chapter 3 § 161a. (Exhibit 9 attached) this would have been considered community property and they would share in distribution jointly and as one unit. As well as the directions for distribution by BIA did not point out Ina Jackson would not be considered a distributee as the legal definition of what each Indian would be considered by 25 CFR § 242.2

(Exhibit 2 attached) would make her believe she would be a distributee in part with Robert Jackson.

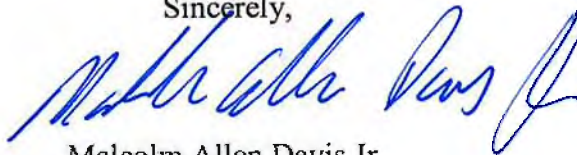
Finally there comes the letter from Shirley Prusia and Heather Howard. Shirley has stated to all of the family that this was all an error but still everyone turned a blind eye. We should have been able to vote with all families over the tribe agreeing or disagreeing with Grabowski's report as she is not a Judge, not a tribal member nor does she have any legal authority over Tribal matters. Tribe only hired her to do a report. Gary and the current tribal council at the time took it upon themselves to suspend our family without a vote or due process. When it came time to vote we were told we could not vote and this was an error because we were not officially reclassified yet.

I pray that you all review the records and evidence provided that proves that Ina Jackson was a distributee and that her name being listed as "Wife" was only acknowledging that was her status to Robert Jackson and in that they shared in distribution and were both considered distributees. I pray that you do the right thing and reclassify Ina Jackson Martin's family back as Lineal members as Grabowski's report is null and void and holds no power or value. Ina was considered a distributee. Distribution Plan stated it will only list Distributees and dependents. Did not state it would list spouses. Both Robert and Ina came to live on the land at the same time, both worked the land and had money coming in, both helped build Mooretown and both are part of our history that can never be erased.

If you have any questions or would like more records or documentation please let me know and I will be more than happy to provide them. What happened in the past and

the lies that were told are all in the past. Ina Jackson Martin was not just a spouse, all the women in our tribe are strong Native American women who hold more than a title as a women or a spouse, but they hold the strongest title because they are what keeps our tribe together and if it wasn't for any of the women in our tribe many members would not be here today. To take one of our women in our tribe and make her less than of her husband without proof is a disgrace. All these records that are being presented shows who Ina really was. I pray you review them and do the right thing and correct what the past council and chair did.

Sincerely,

A handwritten signature in blue ink, appearing to read "Malcolm Allen Davis Jr.", written in a cursive style.

Malcolm Allen Davis Jr.

Table of Contents of Records to Review

Documents 1 thru 4: This is the Act that was passed to allow Robert and Ina and others to file for clear and simple title to the land they occupied. You had to be living on the land at the time this bill passed, Native American and send in your request for distribution.

Documents 5 thru 7: This is the Regulations that explains what will occur for land distribution and the definitions of who is a distributee and dependent.

Documents 8 thru 9: This is the letter from that shows that why Mooretown should be on land distribution and facts that were found.

Documents 10 thru 13: Letters from Robert and Ina to BIA requesting land distribution .

Documents 14: Letter from BIA explaining to Robert that Ina and him would have protection.

Document 15 thru 20 : The land distribution: Notice that it states Robert and Ina were the only Indian's living on the land Parcel 1. It states " The Indians herein are recognized as the only Indians of the rancheria who hold formal and informal assignments and are entitled to share in the distribution of the property. Funds were divided and because Robert was the head of household the money went to his name, this did not mean Ina was not anything less as they were equal. It states the names listed will be distributees or dependents. Ina was equal to her husband and no a dependent as stated in the regulation's above. (Documents 5 thru 7) Finally it states that " Whose name

appears in this list shall constitute vested property which may be inherited or bequeathed but shall not otherwise be subject to alienation of encumbrance before the transfer of title to such property

Document 21: Robert and Ina's marriage license. This will show they have been married long before this land distribution.

Document 22: This is the census that shows Robert and Ina on the Mooretown Plan.

Document 23 thru 27: Letter from Shirley Prusia

Document 28 thru 30: Affidavit from an anthropologist and ethno historical researcher who reviewed all facts as we all have. This was presented to everyone and again no one wanted to listen.

These documents and records were not easily accessible back in 2005. To gather all the records we have has taken a long time because they have been archived or hidden away. We now have the entire record of the creation of Mooretown and can see what all was requested and happened.