This case was appealed from

Others: NRC-040-09075-MLA

U.S. Circuit Court of Appeals

US Circuit Court of Appeals - D.C. Circuit

17-1059

Oglala Sioux Tribe v. NRC, et al

This case was retrieved from the court on Friday, January 26, 2018

Header

Case Number:	**17-1059**
Date Filed:	**02/21/2017**
Date Full Case Retrieved:	**01/26/2018**
NOS Description:	**(0) 0:; Appeal**

Summary

No Information is Available for this case

Associated Cases

No Information is Available for this case

Participants

Litigant	Attorney
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Proceedings

Date	Details
02/21/2017	PETITION FOR REVIEW CASE docketed. [17-1059]
02/21/2017	PETITION FOR REVIEW [1662500] of a decision by federal agency filed by Oglala Sioux Tribe [Service Date: 02/21/2017] Disclosure Statement: Not Applicable to this Party; Certificate of Parties: Not Applicable to this Filing. [17-1059]
02/22/2017	CERTIFIED COPY [1662502] of Petition for Review sent to respondent [17-1059]
02/22/2017	CLERK'S ORDER [1662506] filed directing party to file initial submissions: PETITIONER docketing statement due 03/24/2017. PETITIONER certificate as to parties due 03/24/2017. PETITIONER statement of issues due 03/24/2017. PETITIONER underlying decision due 03/24/2017. PETITIONER deferred appendix statement due 03/24/2017. PETITIONER procedural motions due 03/24/2017. PETITIONER dispositive motions due 04/10/2017; directing party to file initial submissions: RESPONDENT entry of appearance due 03/24/2017. RESPONDENT procedural motions due 03/24/2017. RESPONDENT certified index to record due 04/10/2017. RESPONDENT dispositive motions due 04/10/2017 [17-1059]
02/27/2017	ENTRY OF APPEARANCE [1663078] filed by James E. Adler and co-counsel Andrew P. Averbach on behalf of Respondent NRC. [17-1059] (Adler, James)
03/14/2017	MOTION [1665998] for leave to intervene [Disclosure Listing: Not Attached] filed by Powertech (USA), Inc. [Service Date: 03/14/2017] [17-1059]--[MODIFIED PARTY FILER--Edited 03/15/2017 by LMC] (Thompson, Anthony)
03/14/2017	ENTRY OF APPEARANCE [1666004] filed by Lane N. McFadden on behalf of Respondent USA. [17-1059] (McFadden, Lane)
03/16/2017	CORRECTED MOTION [1666293] for leave to intervene [Disclosure Listing: Not Attached] filed by Powertech (USA), Inc. [Service Date: 03/16/2017] [17-1059] (Thompson, Anthony)
03/17/2017	MOTION [1666580] to dismiss case for lack of jurisdiction (Response to Motion served by mail due on 03/27/2017) filed by NRC and USA (Service Date: 03/17/2017 by CM/ECF NDA) Length Certification: 3,775 Words. [17-1059] (Adler, James)
03/24/2017	ENTRY OF APPEARANCE [1667626] filed by Travis Stills on behalf of Petitioner Oglala Sioux Tribe. [17-1059] (Parsons, Jeffrey)
03/24/2017	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1667829] filed by Oglala Sioux Tribe [Service Date: 03/24/2017] [17-1059] (Parsons, Jeffrey)
03/24/2017	DOCKETING STATEMENT [1667830] filed by Oglala Sioux Tribe [Service Date: 03/24/2017] [17-1059] (Parsons, Jeffrey)
03/24/2017	STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL [1667831] filed by Oglala Sioux Tribe [Service Date: 03/24/2017] Intent: AppxDeferred [17-1059] (Parsons, Jeffrey)
03/24/2017	STATEMENT OF ISSUES [1667832] filed by Oglala Sioux Tribe [Service Date: 03/24/2017] [17-1059] (Parsons, Jeffrey)
03/24/2017	UNDERLYING DECISION IN CASE [1667833] submitted by Oglala Sioux Tribe [Service Date: 03/24/2017] [17-1059] (Parsons, Jeffrey)
03/24/2017	RESPONSE [1667834] to motion for leave to intervene , motion for leave to intervene filed by Oglala Sioux Tribe [Service Date: 03/24/2017 by CM/ECF NDA] Length Certification: 1588 words. [17-1059] (Parsons, Jeffrey)
03/24/2017	RESPONSE IN OPPOSITION [1667849] to motion to dismiss case for lack of jurisdiction filed by Oglala Sioux Tribe [Service Date: 03/24/2017 by CM/ECF NDA] Length Certification: 3660 words. [17-1059] (Parsons, Jeffrey)
03/27/2017	RESPONSE IN SUPPORT [1668058] to motion to dismiss case for lack of jurisdiction filed by Powertech (USA),

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Inc. [Service Date: 03/27/2017 by CM/ECF NDA, US Mail] Length Certification: 5 Pages. [17-1059] (Thompson, Anthony)

03/30/2017 REPLY [1668599] filed by NRC and USA to response [Service Date: 03/30/2017 by CM/ECF NDA] Length Certification: 2,541 Words. [17-1059] (Adler, James)

04/06/2017 CERTIFIED INDEX TO RECORD [1669861] filed by NRC [Service Date: 04/06/2017] [17-1059] (Adler, James)

04/17/2017 SUPPLEMENT [1671257] to response filed by Powertech (USA), Inc. [Service Date: 04/17/2017] [17-1059] (Thompson, Anthony)

04/25/2017 STATEMENT [1672492] with Disclosure Listing filed by Powertech (USA), Inc. [Service Date: 04/25/2017] [17-1059]--[MODIFIED EVENT--Edited 04/25/2017 by LMC] (Thompson, Anthony)

05/17/2017 PER CURIAM ORDER [1675530] granting corrected motion for leave to intervene ; referring motion to dismiss case for lack of jurisdiction to which this petition for review is assigned. Before Judges: Griffith, Srinivasan and Pillard. [17-1059]

05/18/2017 CLERK'S ORDER [1675800] filed setting briefing schedule: PETITIONER Brief due 06/27/2017. RESPONDENT Brief due on 07/27/2017. INTERVENOR FOR RESPONDENT Brief due 08/03/2017. PETITIONER Reply Brief due 08/17/2017. DEFERRED APPENDIX due 08/24/2017. Final Briefs due 09/07/2017. [17-1059]

06/01/2017 UNOPPOSED MOTION [1677788] to extend time to file brief filed by USA [Service Date: 06/01/2017] Length Certification: 696 words. [17-1059]--[RELIEF REPLACED--Edited 06/01/2017 by LMC] (McFadden, Lane)

06/02/2017 CLERK'S ORDER [1677936] filed granting federal respondents' unopposed motion to amend the briefing schedule , The following revised briefing schedule will now apply: PETITIONER Brief due 06/27/2017 (unchanged). RESPONDENT Brief due on 08/10/2017. INTERVENOR FOR RESPONDENT Brief due 08/21/2017. PETITIONER Reply Brief due 09/12/2017. DEFERRED APPENDIX due 09/19/2017. Final Briefs due 09/26/2017. [17-1059]

06/27/2017 PETITIONER BRIEF [1681623] filed by Oglala Sioux Tribe [Service Date: 06/27/2017] Length of Brief: 12,996 words. [17-1059] (Parsons, Jeffrey)

08/08/2017 UNOPPOSED MOTION [1687739] concerning briefing format filed by Powertech (USA), Inc. [Service Date: 08/08/2017] Length Certification: 2 pages and certificate of service. [17-1059] (Pugsley, Christopher)

08/09/2017 CLERK'S ORDER [1687939] filed granting the unopposed motion of intervenor to amend the briefing schedule , The following revised briefing schedule will now apply: RESPONDENT Brief due on 08/10/2017 (unchanged). INTERVENOR FOR RESPONDENT Brief due 08/30/2017. PETITIONER Reply Brief due 09/21/2017. DEFERRED APPENDIX due 09/28/2017. Final Briefsdue 10/05/2017. [17-1059]

08/10/2017 RESPONDENT BRIEF [1688196] filed by NRC and USA [Service Date: 08/10/2017] Length of Brief: 12,947 Words. [17-1059] (Adler, James)

08/10/2017 SEPARATE STATUTORY ADDENDUM [1688198] filed by NRC and USA to Appellee/Respondent brief [Service Date:08/10/2017] [17-1059] (Adler, James)

08/30/2017 INTERVENOR FOR RESPONDENT BRIEF [1690838] filed by Powertech (USA), Inc. [Service Date: 08/30/2017] Length of Brief: 8,542 words. [17-1059] (Pugsley, Christopher)

09/21/2017 PETITIONER REPLY BRIEF [1693988] filed by Oglala Sioux Tribe [Service Date: 09/21/2017] Length of Brief: 6472 words. [17-1059] (Parsons, Jeffrey)

09/28/2017 INCORRECT DOCKET ENTRY-DISREGARD--JOINT APPENDIX [1695532] filed by Oglala Sioux Tribe. [Volumes: 2] [Service Date: 09/28/2017] [17-1059]--[Edited 09/29/2017 by LMC] (Parsons, Jeffrey)

09/29/2017 CORRECTED JOINT APPENDIX [1695662] filed by Oglala Sioux Tribe. [Volumes: 2] [Service Date: 09/29/2017] [17-1059] (Parsons, Jeffrey)

10/05/2017 RESPONDENT FINAL BRIEF [1697086] filed by NRC and USA [Service Date: 10/05/2017] Length of Brief: 12,946 Words. [17-1059] (Adler, James)

10/05/2017 SEPARATE STATUTORY ADDENDUM [1697088] filed by NRC and USA to Appellee/Respondent final brief [Service Date:10/05/2017] [17-1059] (Adler, James)

10/05/2017 INTERVENOR FOR RESPONDENT FINAL BRIEF [1697413] filed by Powertech (USA), Inc. [Service Date: 10/05/2017] Length of Brief: 8,542 words. [17-1059] (Thompson, Anthony)

10/05/2017 PETITIONER FINAL BRIEF [1697426] filed by Oglala Sioux Tribe [Service Date: 10/05/2017] Length of Brief:

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12,996. [17-1059] (Parsons, Jeffrey)

10/05/2017 PETITIONER FINAL REPLY BRIEF [1697427] filed by Oglala Sioux Tribe [Service Date: 10/05/2017] Length of Brief: 6477. [17-1059] (Parsons, Jeffrey)

10/06/2017 SEALED APPENDIX [1698013] filed by Oglala Sioux Tribe. [Volumes: 1] [Service Date: 10/06/2017] [17-1059]

10/10/2017 SEPARATE STATUTORY ADDENDUM [1697853] filed by Oglala Sioux Tribe to Appellant/Petitioner final brief [Service Date:10/10/2017] [17-1059] (Parsons, Jeffrey)

10/11/2017 ENTRY OF APPEARANCE [1698244] filed by Jeffrey C. Parsons and co-counsel Roger Flynn on behalf of Petitioner Oglala Sioux Tribe. [17-1059] (Parsons, Jeffrey)

10/23/2017 LETTER [1700942] pursuant to FRAP 28j advising of additional authorities filed by NRC [Service Date: 10/23/2017] [17-1059] (Adler, James)

10/30/2017 RESPONSE [1702146] to letter Rule 28j authorities , letter filed by Oglala Sioux Tribe [Service Date: 10/30/2017 by CM/ECF NDA] Length Certification: 331. [17-1059] (Parsons, Jeffrey)

12/13/2017 LETTER [1708784] advising of arguing counsel's availability for oral argument filed by NRC [Service Date: 12/13/2017] [17-1059] (Adler, James)

12/14/2017 LETTER [1709042] advising of arguing counsel's availability for oral argument filed by Oglala Sioux Tribe [Service Date: 12/14/2017] [17-1059] (Parsons, Jeffrey)

01/19/2018 CLERK'S ORDER [1713672] filed scheduling oral argument on Tuesday, 03/20/2018. [17-1059]

01/25/2018 LETTER [1714588] pursuant to FRAP 28j advising of additional authorities filed by NRC [Service Date: 01/25/2018] [17-1059] (Adler, James)

Pending Motion

No Information is Available for this case

Brief

No Information is Available for this case

Rehearings

No Information is Available for this case

History

No Information is Available for this case

Additional Case

Additional Case Information

Petition for Review - Review

Appeal from: Nuclear Regulatory Commission

District: NRC Division: 1 CaseNumber: NRC-040-09075-MLA

Date Decided: 12/23/2016

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