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04: Floripa Northcutt-Cross Exam.pdf (79.53Kb)

U.S. District Court District of New Mexico

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CROSS-EXAMINATION1
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25BY MR. PRELO:

Q Mrs. Northcutt, you are a member of the Tribe; is that correct?

A Yes, sir.

Q So that any denials to you would not be the same as denials to a non-member, is that correct, insofar as land leases and so forth?

A Well, I had been denied on them.

Q As a member. You've never been denied --

A Whether as a member, but I have been denied.

Q But you've also been a member when you were denied, is what I am asking.

A Yes.

Q You had reference to a Felicita Naranjo, and she was your sister --

A She is my sister.

Q And she had a child --

A By Ralph Lucero, who was killed in the war, World War II.

Q And did that child come back to the Pueblo?

A Yes, she brought back the child, and he was enrolled after she became a widow.

Q After she became a widow?

A Yes.

Q Do you know whether or not they were married prior to the

1 time that child was born?

2 A Yes, they were married. He took a leave from the Marines
3 and had a day that they took to get married.

4 Q Do you remember the dates?

5 A No, I don't remember the dates because I was still young
6 at the time.

7 Q But you are sure of the fact that they were in fact
8 married?

9 A Yes, because they have given him the last name and
10 everything.

11 Q Are you also equally sure of the fact that Alcario Tafoya
12 represents all the people?

13 A Yes.

14 Q Do you remember signing an affidavit from Mr. Taradash
15 to attach to a Pleading about two or three weeks ago?

16 A Yes.

17 Q And is it true that it states in there, "In approximately
18 January of 1966, my father Jose D. D. Naranjo and
19 Alcario Tafoya who were both representatives at that
20 time went to the Council," and I am going to paraphrase,
21 "The Council was very angered by this and told my father
22 and Mr. Alcario Tafoya that they weren't representing
23 anybody and that they weren't representatives at all.
24 This resulted in a split in the faction of the Winter
25 People that was represented by Mr. Alcario Tafoya. Myself,

1 Virginia Eberlacker and some others remained with him and
2 still recognize him as our leader but others split off
3 and did not." Do you recall --

4 A Yes, sir.

5 Q Is that consistent with what you have said just now?

6 A Yes, it is.

7 MR. PRELO: Thank you. I have no further questions.

8 MR. TARADASH: We have no further questions.

9 THE COURT: You may step down.

10 MR. COLLINS: Plaintiffs call Mr. Alcario Tafoya.

11 MR. PRELO: If the Court please, I would move to
12 strike her testimony in view of the fact that she is a
13 member, and whether or not she could lease or not lease
14 would have no bearing on whether a non-member can lease or
15 not lease.

16 THE COURT: Fine. I'm going to let it stand.

17 MR. TARADASH: Your Honor, Mr. Alcario Tafoya, who
18 we are calling as our next witness, often has difficulties
19 with English, which he does not speak well. Because of
20 that, we have asked a man from the San Juan Pueblo, Mr.
21 Anthony Ortiz, if he would be willing to interpret. May
22 we also have him sworn as an interpreter for Mr. Tafoya?

23 THE COURT: All right, sir.

24 (Whereupon, the following proceedings were partially
25 interpreted from English to Tewa and Tewa to English