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U.S. District Court for the District of New Mexico

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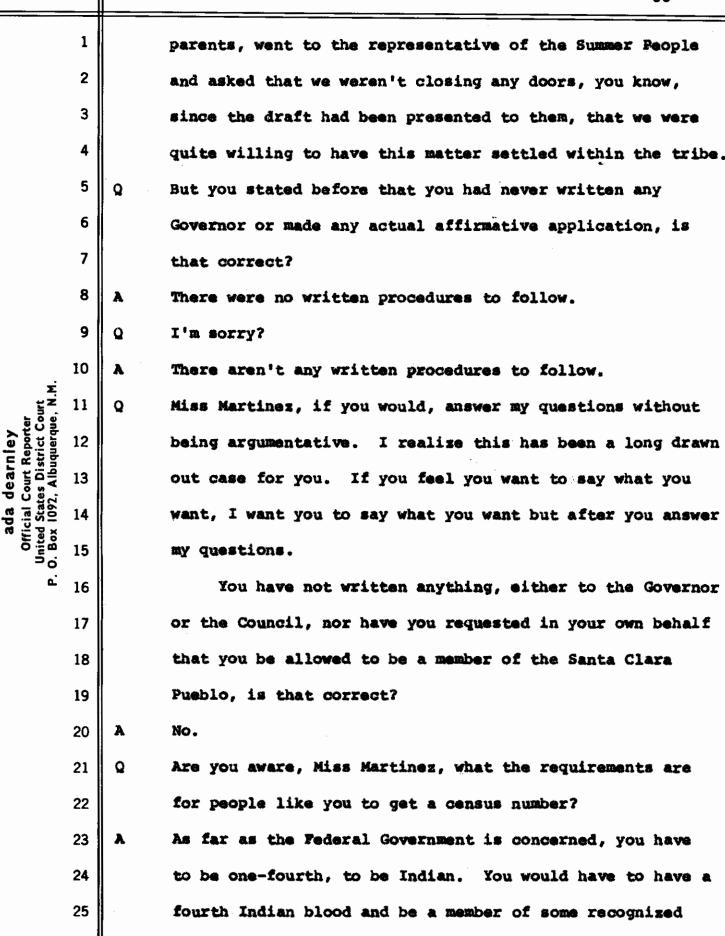
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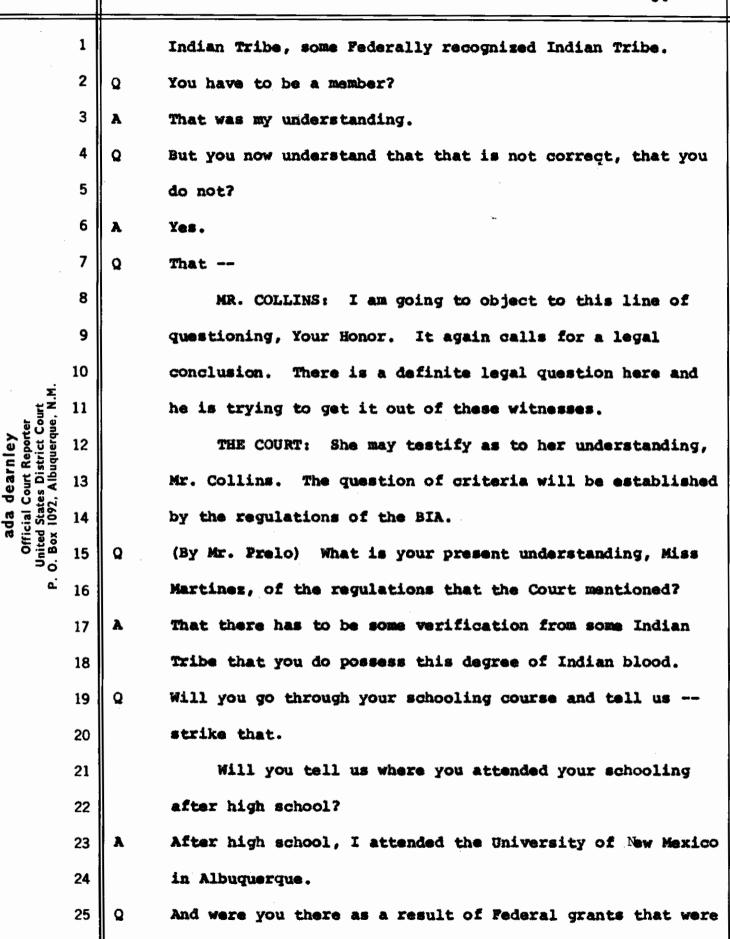
U.S. District Court Docket No. 9717 Civil; 436 U.S. 49 (1978)

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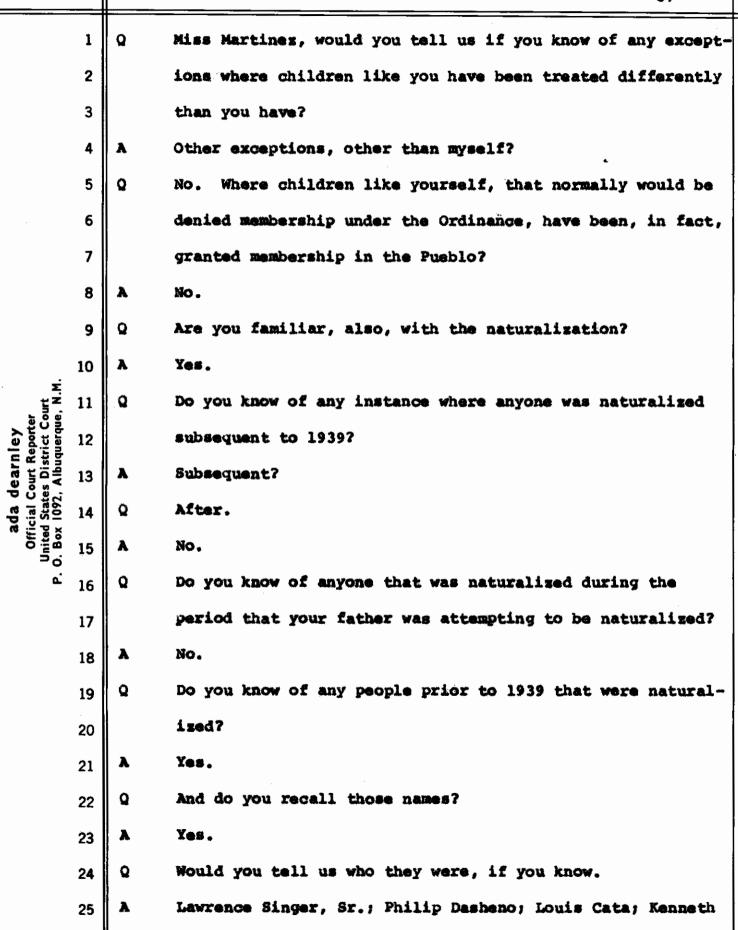
	1	Q When was that?
	2	A This was in '71, '72.
	3	Q And were you enrolled as a result of those attempts?
	4	A No.
	5	Q So as of this date, you and your brothers and sisters are
	6	still not enrolled in the Santa Clara Pueblo?
	7	A That's true.
	8	MR. TARADASH: We have no further questions at this
	9	time, Your Honor.
_	10	CROSS EXAMINATION
. X.X	11	BY MR. PRELO:
earnley urt Reporter : District Court Albuquerque, N.M	12	Q Miss Martinez, you have personally made no effort to be
	13	enrolled, is that correct?
da cial ( Stat 1092	14	A Personally, no.
Offic United O. Box	15	Q How old are you?
مَ	16	A I am twenty-seven years old.
	17	Q I'm sorry?
	18	A I am twenty-seven years old.
	19	Q Twenty-seven. You have been an adult, certainly, since
	20	this suit has been filed, is that correct?
	21	A Yes. Could I make a you asked me if I had made any
	22	personal attempt to have myself enrolled.
	23	Q Yes.
	24	A Okay. I, myself, along with my parents, soon after the
	25	draft of the Complaint was to be filed, I, along with my



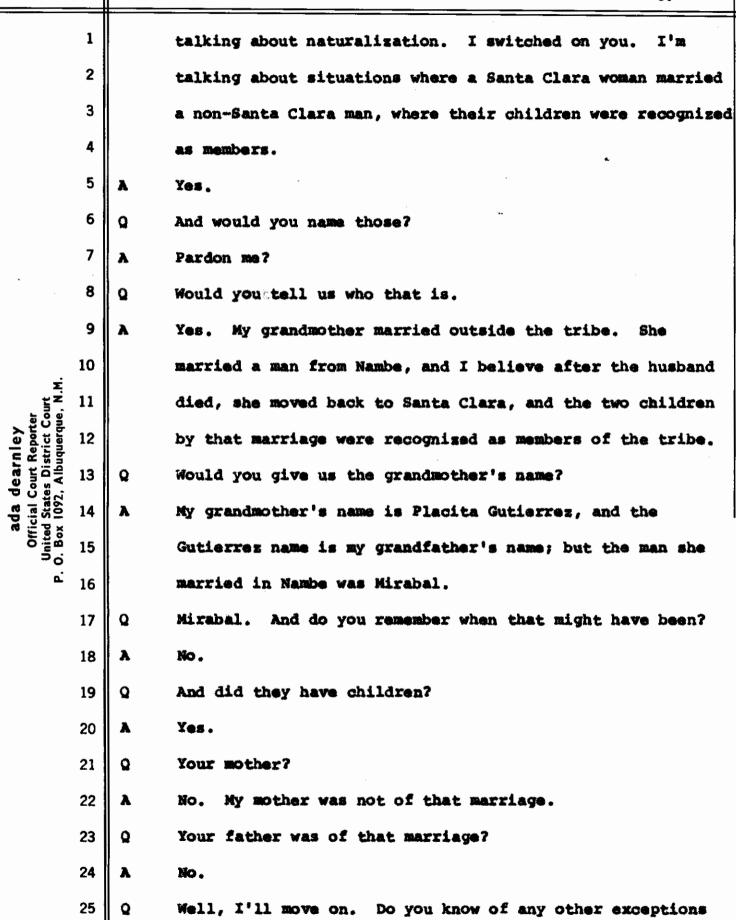


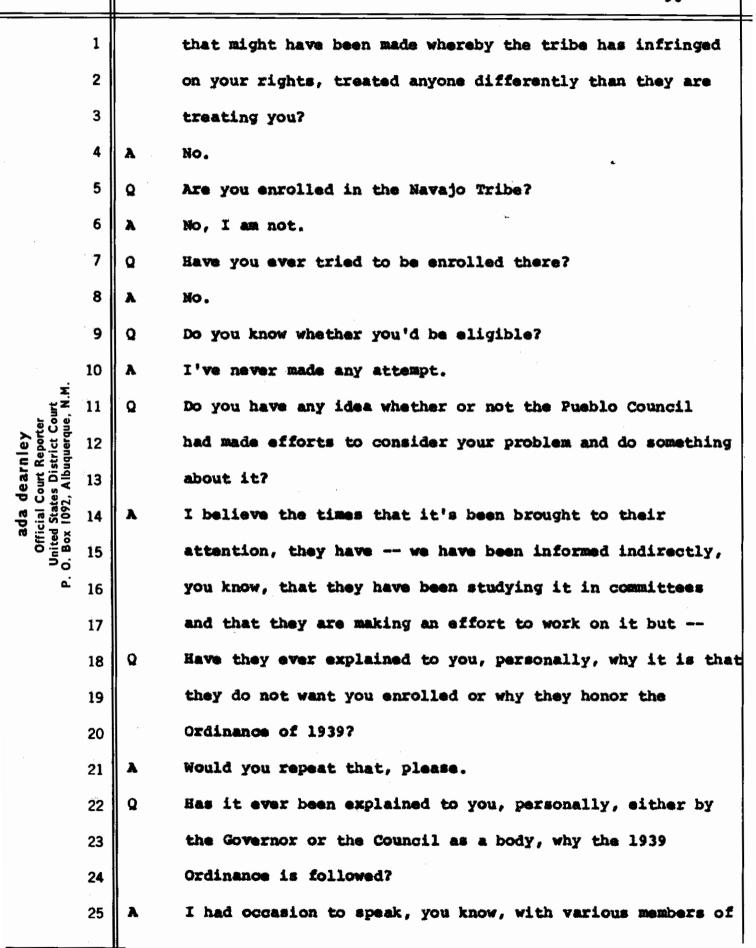
	1		made to you?	
	2	λ	Yes.	
	3	Q	Do you have any idea, today, of how much were available	
	4		to you through the years?	
	5	A	No, not this week.	
	6	Q	Do you have any idea how many semesters you attended there	
	7		on Federal grant?	
	8	λ	I would say between, anywhere, from six to eight semesters.	
	9	Q	Did you get a degree?	
_•	10	λ	No.	
earnley urt Reporter District Court Albuquerque, N.M	11	Ω	You are still working on it?	
nley Reporte	12	A	Yes.	
dearnley Court Repor es District :, Albuquerc	13	Q	Were you treated I won't go through all of the other	
da ial Stat 1092	14		schooling.	
Offic United O. Box	15		Were you ever treated any differently from anyone	
مَ	16		else at the day school?	
	17	λ	No.	
	18	Q	At the public school in Espanola?	
	19	A	No.	
	20	Q	You got the same privileges as everyone else got?	
	21	A	Yes.	
	22	Ω	Did Governor Paul Tafoya, at any time during the course of	
	23		all these proceedings, do anything other than try to assist	
	24		you with your problems?	
	25	A	He was very sympathetic with trying to help us.	
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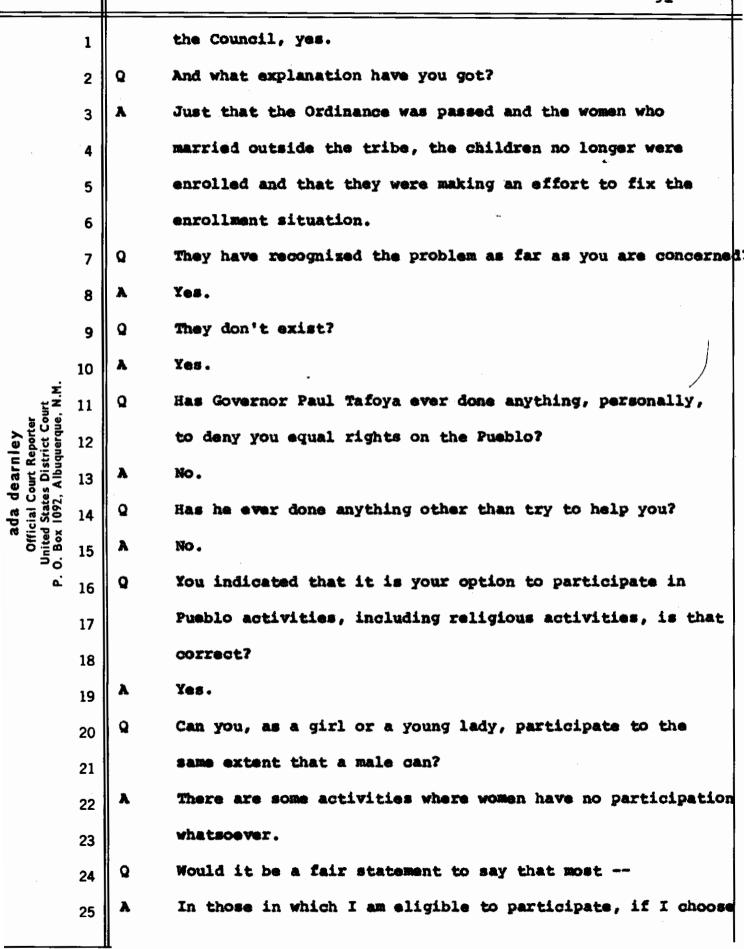
	1	^	He always tried to help you?	
		Ω		
	2	A ·	Yes.	
	3	Q	Did he, personally, in any way, deny you any rights?	
	4	λ	No.	
	5	Q	Do you know, of your own knowledge, whether Paul Tafoya,	
	6		as Governor of Santa Clara, could enroll you if he wanted	
	7		to?	
	8	A	I believe, as Governor, he has a great deal of influence.	
	9	Ω	Now, if you will answer my question: Do you believe that	
_•	10		he could enroll you if he wanted to?	
ourt e, N.S	11	A	No.	
dearnley Court Reporter tes District Court 2, Albuquerque, N.M	12	Ω	He could not, right?	
	13	A	(No response.)	
Star Star 1093	14	Q	Isn't it true that your mother is in the process of	
Offic United O. Box	15		acquiring a new home on the new housing list, on the Santa	
ď.	16		Clara Pueblo?	
	17	A	I believe our application has been processed, yes.	
`	18	Q	I'm sorry?	
	19	A	Yes.	
	20	Q	So it is anticipated that if everything goes well, it will	
	21		be had sometime next year?	
	22	A	Yes.	
	23	Q	Are you acquainted with the 1939 Ordinance that we have	
	24		talked about?	
	25	A	Yes.	



	1 2	Q	Shupla, and Lillian Sisneros. Lillian Sisneros?
	3	A	Yes. The wife of Tito.
	4	Q	I'm sorry.
	5	λ	The wife of Tito Sisneros.
	6	Q	Is she a woman?
	7	A	Yes.
	8	Q	Obviously she was naturalized?
	9	À	Yes.
	10	Q	Do you know when?
ξZ Σ	11	A	Oh, probably in '38.
ada dearnley Official Court Reporter United States District Court J. Box 1092, Albuquerque, N.M.	12	Q	Who did she marry?
dearnley Court Reporter tes District Co 2, Albuquerque	13	A	Tito Sisneros.
a de al Cou States 092, A	14	Q	And was Tito a Santa Clara?
ada Official nited Sta Box 109	15	A	Yes.
ب_0	16	Q	So that his children were automatically Santa Clara, at
	17	**	least entitled to be enrolled at Santa Clara?
	18	A	Yes.
	19	Q	Do you know of any other exceptions where the children of
	20	•	a Santa Clara woman that married a non-Santa Clara man
			`
	21		might have been granted membership?
	22	λ	Are we still talking about before the Ordinance?
	23	Ω	After the Ordinance.
	24	A	After the Ordinance, no.
	25	Q	Do you know of any, prior to the Ordinance? Now, I'm not







	1 2		to do so, the choice is up to me.
		Q	I'm sorry?
	3	λ	In those in which I am eligible to participate, the choice
	4		is up to me whether I want to do it or not.
	5	Q	Would you say you are eligible to participate in a small
	6		portion of the total religious ceremony?
	7	A	If there is only a small portion that I am eligible for,
	8		Yes.
	9	Q	Is that true of women, generally?
_•	10	λ	Yes.
earnley purt Reporter i District Court Albuquerque, N.M.	11	Q	Could I participate, perhaps, in the same things that you
ley teporte trict C	12		perhaps participate in?
dearnley Court Reporter tes District Co 2, Albuquerque	13	A	No.
ada de Official Co United States O. Box 1092,	14	Q	No outsiders could participate?
Off Unite O. Boy	15	λ	No.
مَ	16	Q	Is there any other way that you can think of that the
	17		Pueblo has denied you equal protection, anything else
	18	i.	at all?
	19	A	No, other than the right to vote.
	20	Q	Basically, the right to vote?
	21	λ	And to hold office.
	22	Q	Do you know who holds the title to real estate on the
	23		Pueblo?
	24	A	Yes. It is held in
	25	Q	I'm sorry. Go ahead. Do you know?

	1	A Yes.
	2	Q Who owns the title?
	3	A It is held in Trust by the United States and the people,
	4	as a whole, own Santa Clara. There isn't any individual
	5	ownership.
	6	MR. PRELO: Thank you. Can I have just a moment,
	7	Your Honor?
	8	THE COURT: Yes.
	9	MR. PRELO: Thank you.
نے	10	THE COURT: Any redirect?
earnley vurt Reporter 5 District Court Albuquerque, N.M.	11	MR. TARADASH: Just a few questions.
dearnley Court Reporter tes District Co 2, Albuquerque	12	REDIRECT EXAMINATION
dearnley Court Reporties Ses District (	13	BY MR. TARADASH:
ada de Official Coi United States J. Box 1092, #	14	Q Would you clarify for us, if you will, the relationship
Off Unite O. Bo	15	between your mother and your grandmother, who you said
مَ	16	married a man named Mirabal from some other Pueblo?
	17	A Yes. My grandmother was married twice, and when she first
	18	got married, she married outside her tribe. She married
	19	somebody from Nambe, the man by the name of Mirabal, and
	20	they lived up there for a while together, and then after
	21	the husband died, she moved back to Santa Clara.
	22	Q Did you say that she moved back with two children from
	23	that marriage?
	24	A Yes. Yes.
	25	O And were those children recognized as members of the