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6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **FOR THE COUNTY OF SAN DIEGO**
8

9 **CALIFORNIA VALLEY MIWOK**
10 **TRIBE,**

11 Plaintiff,

12 v.

13 **CALIFORNIA GAMBLING CONTROL**
COMMISSION, et al.,

14 Defendants.

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19 **CALIFORNIA VALLEY MIWOK**
TRIBE, CALIFORNIA (a.k.a. SHEEP
20 **RANCH RANCHERIA OF ME-WUK**
INDIANS, CALIFORNIA), YAKIMA K.
21 **DIXIE, VELMA WHITEBEAR,**
ANTONIA LOPEZ, ANTONE
22 **AZEVEDO, MICHAEL MENDIBLES,**
AND EVELYN WILSON,

23 Applicant Intervenors.
24

No: 37-2008-00075326-CU-CO-CTL

DECLARATION OF YAKIMA K. DIXIE
IN SUPPORT OF MOTION TO
INTERVENE AS DEFENDANTS

Law and Motion

Hearing Date: December 17, 2010

Hearing Time: 8:30 a.m.

Hearing Place: C-62

Trial Date: May 13, 2011

Trial Dept: C-62

Trial Judge: The Hon. Ronald L. Styn

First Amended Complaint Filed 8/20/08

Code of Civil Procedure §387

1 I, Yakima K. Dixie, am over the age of 18 and a resident of Calaveras County, California.
2 I have actual and personal knowledge of the following facts and am competent to testify to the
3 same. This Declaration is being offered in support of the Motion to Intervene.

4 1. Sheep Ranch Rancheria has been my domicile for almost my entire life and the
5 title to the Rancheria is held by the federal government in trust for my benefit.

6 2. I am seeking to intervene in this litigation because I am the Hereditary Chief and
7 Traditional Authority for the Federally Recognized Tribe known as California Valley Miwok
8 Tribe (formerly, the Sheep Ranch Rancheria of Me-Wuk Indians of California) (the "Tribe"). I
9 inherited the position of Hereditary Chief upon the death of my mother, Mabel Hodge Dixie, on
10 July 11, 1971. My tribal lineal descent through my mother goes back to the Hodge family of the
11 1915 census of the Sheepranch Indians.

12 3. I also seek to intervene in this litigation, which was filed by Silvia Burley because
13 Ms. Burley is not recognized as the authority for the Tribe by the BIA, by the putative members
14 of the Tribe or the State of California. If the Court orders the Revenue Sharing Trust Fund
15 ("RSTF") funds to be disbursed, the Court must also determine who is the authority of the Tribe
16 to receive the Funds.

17 4. In 1996, Ms. Burley approached me seeking assistance in obtaining medical and
18 education benefits for herself and her two daughters.

19 5. In 1999, I allowed Ms. Burley into the Tribe. Shortly thereafter, Ms. Burley
20 alleged that I resigned as Tribal Chairman, that she represented that she spoke for the Sheepranch
21 Miwok people and that she was the leader and chairperson of the Tribe. I have never consented
22 to her claim of leadership. The document allegedly showing my resignation as Tribal Chairman
23 is a forgery.

1 6. Ms. Burley purported to set up a "Tribal Council," made up of herself and her two
2 daughters. But, on information and belief, she otherwise made no effort to organize the Tribe
3 around the lineal descendants of the Me-Wuk people who had lived at the Rancheria.

4 7. From 1999 to 2005, Ms. Burley collected federal grant and RSTF money meant
5 for the Tribe based on her baseless claim to be the leader of the Tribe. On information and
6 belief, she, her two daughters and their immediate family, have been the only beneficiaries of
7 those substantial monies. On information and belief, these sums were used to purchase a home
8 for her and her daughters, on which Ms. Burley subsequently took out a \$500,000 line of credit.
9 I have never received any of that money, I do not know anyone who has received any of that
10 money other than Ms. Burley, her husband, and her children, nor do I know of any programs Ms.
11 Burley set up for the benefit of the Tribe.
12

13 8. In September 2005, Ms. Burley and her "Tribal Council" purported to disenroll
14 me from the Tribe, based on the alleged ground that I had held myself out to be a member of
15 another Indian Tribe, namely the Sheep Ranch Rancheria of Me-Wuk Indians which, of course,
16 is simply another name for the California Valley Me-Wuk Indians.

17 9. My being "Hereditary Chief" and "Traditional Authority" for the Tribe do not, at
18 present, denote a legal relationship with the U.S. Federal government. Hereditary chiefdom is,
19 however, provided by Miwok traditions. The Tribe is "recognized" by the U.S. government but
20 is it not yet considered "organized" by the Bureau of Indian Affairs ("BIA"). Until the Tribe is
21 recognized by the BIA as "organized" no one and no group has a right to the RTSF funds. The
22 Tribe is currently working with the BIA to become "organized" around the putative members.
23 Until the Tribe becomes formally organized, the BIA has stated that it holds neither Ms. Burley
24 nor me as the recognized authority. Although the federal government does not recognize an
25

26 Declaration of Yakima K. Dixie

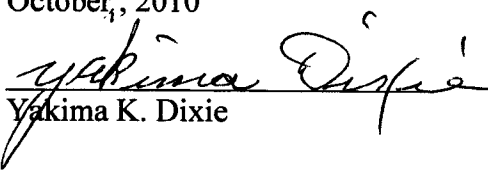
1 authority for the Tribe at present I, as the Hereditary Chief and Traditional Authority, am the
2 only person who rightfully may receive funds on behalf of the Tribe.

3 10. On April 11, 2007, to assist the Tribe to organize and to identify current putative
4 members of the Tribe, the BIA issued a public notice identifying 14 putative members of the
5 Tribe and called for descendants of those persons to submit documentation to the BIA. One of
6 the listed putative members is my mother, Mable Hodge Dixie, and, therefore, I submitted
7 supporting documentation to the BIA and am a putative member of the Tribe.
8

9 11. On information and belief, 580 persons (including myself) submitted personal
10 genealogies to the BIA in response to the BIA's April 11, 2007 public notice. According to the
11 BIA and on information and belief, neither Ms. Burley nor any member of her immediate family
12 submitted documentation to the BIA in response to the April 11, 2007 public notice.

13 I declare the foregoing is true and correct under penalty of perjury under the laws of
14 California.

15 October³¹, 2010

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17 Yakima K. Dixie
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