

Journal #2762

from sdc

1.9.13

Reno Global Day of Action

Fort Uncompahgre

NASE Foundation Future Entrepreneur Scholarship

NASE Scholarship Program

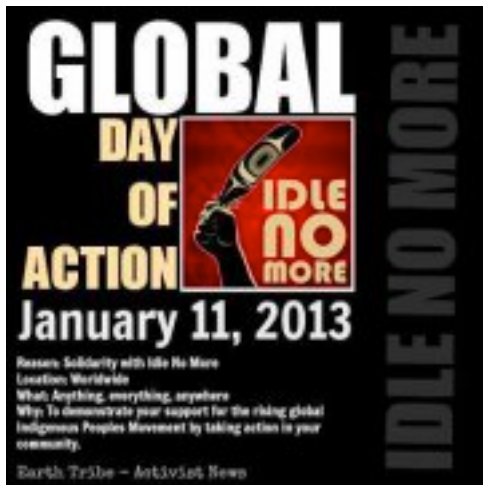
ALA Library Fact Sheet 12 - Sending Books to Needy Libraries: Book Donation Programs ALA

Library Fact Sheet 12 - Sending Books to Needy Libraries: Book Donation Programs

85 Low-Cost or Free Web-Based Tools for Nonprofits

Murder State: California's Native American Genocide

Supreme Court to examine Indian Child Welfare Act requirements in adoption dispute



[Aim Northern Nevada's event](#)

[IDLE NO MORE - RENO, NEVADA](#)

[January 11 at 2:00pm](#)

Reno, NV downtown by the arch

[Loika Kane](#)

So here we go folks. Idle No More Round Dance event, downtown Reno, 2pm, Friday, January 11. Drummers, royalty and jingle dress dancers requested. Please take the time to come out and support the Idle No More efforts. Idle No More, the main office, was encouraging everyone worldwide to organize an event on this day - an International Day of Peace and Solidarity. This is the day Harper will meet with the indigenous leaders of Canada,

and hopefully Chief Spence is included in that meeting. Invite your family, friends, native, and non-native. All supporters are welcome! For more information, go to the AIM Northern Nevada fb site. Hope to c u all there



[Carolyn](#) shared [Aim Nevada's](#)



[Harry Northern event.](#)

Please all, continue to support Chief Spence and what she stands for. I now see a couple articles coming out to discredit from Canadian Govt., remember, Atleo is a Government Appointee..typical.TIME TO STAND STRONGER..this is more than about the meeting..its now about outcome..

["A Good Day To Die" The Dennis Banks Documentary's photo](#)

[Loika Kane](#)

Just a reminder to keep Chief Spence and our Canadian brothers and sisters in your prayers when you rise in the morning and again before you go to bed at night. They are living the struggle. When you hear their stories of not having good water and poor housing, it tugs at your heart. It makes me appreciate what I have and then I think, about the luxuries I have and what is the cost to the people, the environment, and our future generations. We are all going to have to change. One time I got a new car and someone asked me if I was keeping up with the Jones'. I laughed at the time thinking no, it was just time to get a new jalopy. But isn't that how America is. They/we want it all, bigger, better, more. All that is going to have to stop! We don't need all the luxuries. We have to stop or there is going to be no tomorrow!



[Gary Smith](#) I agree Lois. I had someone come by and ask if the could borrow money and had to say no. They turned around and said your an advocate you must have money. I said I spent my last dollar on my bills and my car is out of gas on the other side of the rez so I have no money. But We are happy with what we have and humble with that.

[Loika Kane](#) That goes for any of our other communities in Nevada. Not everyone can make it to Reno for our Idle No More events. We are fortunate we do have natives from some of our closest surrounding reservations that are able to join us but we have many Nevada native communities that are far from Reno but still very much interested in Idle No More! Do what you can from your part of the world. In the end, all of our songs, dances and prayers will be appreciated, no matter how big or small the gatherings.

<http://www.facebook.com/photo.php?fbid=511020158931372&set=a.470620926304629.113221.295732903793433&type=1&ref=nf>

IDLE NO MORE PIC SLIDESHOW www.youtube.com

The song IDLE NO MORE that was sung at the event. This is a slide show of pictures that we took at the event.. *(from last weekend)*

[Will Harrell's video](#)

[Mark Light's photo](#)

[Native News Network's photo](#)

[John Paul Crum's photo](#)



***Fort Uncompahgre:**

Fort Uncompahgre was constructed in 1828 by Antoine Robidoux, a trader based out of Mexican Santa Fe. The post was situated about two miles down from the confluence of the Gunnison and Uncompahgre Rivers near the present day community of Delta in Western Colorado. This location afforded abundant timber for construction purposes and for firewood, and pasture for pack animals.

It was also a gathering spot favored by the Ute Indians, and a nearby natural ford provided easy access across the river. The precise location of the fort has been lost, due to shifting meanders of the Gunnison River. This Map shows the location of Fort Uncompahgre.

The Ute Indians apparently encouraged the presence of a trader deep in their territory for purposes of being able to obtain firearms. Tribes located to the north were obtaining firearms from both the Hudson's Bay Company and from American trappers and the introduction of these guns was upsetting the balance of power amongst the western tribes. Although Spanish law and later Mexican law prohibited sale or trade of firearms to the Indians, such trade at a remote location in a difficult country to traverse might be conducted without much fear of official sanction.

Robidoux established several trails for supplying goods to Fort Uncompahgre. The first of these, known as the Mountain Branch of the Old Spanish Trail, lead north out of Santa Fe, up into the San Luis Valley, thence northwest across Cochetopa Pass, then down into the valley of the Gunnison River to Fort Uncompahgre. This was a very difficult and challenging route, however, if not snowbound, was much shorter than following the Old Spanish Trail. The second trail, known as Robidoux's Cutoff, was used for goods being imported from St. Louis. The Cutoff left the Santa Fe Trail near Bent's Fort, proceeded westward to the vicinity of present day Pueblo, thence around the south end of the Wet Mountains and over Mosca Pass down into the San Luis Valley. Here it joined with the Mountain Branch. The Cutoff was advantageous in that it was far shorter than freighting the goods into Santa Fe and then up, and it avoided Mexican customs, where taxes reached as high as 30 percent. The Cutoff was also useful for importing contraband items such as firearms for trade with the Indians. This Map shows the locations of area trails. Little is known about the construction or layout of the fort except that it was on the south bank of the Gunnison River. Few travelers passed through the fort because of its remote location and difficult access through rugged terrain. There are no known contemporary descriptions of the fort. Fort Uncompahgre probably resembled another fort built later by Antoine Robidoux, Fort Unitah, located in present day eastern Utah. Fort Uncompahgre probably consisted of a few crude log buildings surrounded by a fence of cottonwood pickets. This type of construction would have been acceptable to Ute Indians who were very sensitive about permanent structures being built on their lands.

Accounts indicate that between 15 to 18 individuals were employed at the fort. These men would have been responsible for trading, limited trapping, preparing hides and skins, and bundling fur packs. Additionally, the cottonwood pickets and log structures would have needed continual

maintenance and replacement as the soft cottonwood rotted out. Transportation to this location was difficult and expensive and anything that could be made or grown locally would reduce costs significantly. Employees probably raised a garden which may have included corn, wheat, beans, lentils, potatoes, melons and squash. Sheep or goats were probably also kept at the fort.

Robidoux's employees were all Mexicans, probably from the Santa Fe area. Employees typically worked under a one-year contract, and would be paid in trade goods, most of which they would receive at the end of their service. At the time, New Mexico (as the northern colonies of Old Mexico were known) had a surplus of labor and then current wage rates were approximately \$5.00 per month for skilled craftsmen, while unskilled labor was worth no more than \$2.00 per month.

The primary building structure on the post would have been the trade room. Trappers and Indians would have brought their skins and furs here to be graded and weighed. They could then choose from a selection of trade goods displayed in another area of the trade room. The living quarters of the trader, or his principal would have adjoined the trade room. Other structures on the post probably included a storage building for the furs, a kitchen/living quarters for the post cook, and a black smith/carpenters shop.

In September 1831, authorities in Santa Fe granted a license to Antoine Robidoux for a second trading post near the confluence of the Whiterock and Unitah Rivers. This post, known as Fort Uintah, served both anglo and Mexican trappers as well as Ute and sometimes Shoshoni Indians. This Map shows the location of Fort Uintah. Rufus Sage, in *Rocky Mountain Life*, describes this fort as follows: "Robideau's Fort is situated on the right bank of the Unitah,. . . . The trade of this post is conducted principally with the trapping parties frequenting the Big Bear, Green, Grand, and the Colorado rivers, with their numerous tributaries, in search of fur-bearing game. A small business is also carried on with the Snake and Utah Indians, living in the neighborhood of this establishment. The common articles of dealing are horses, with beaver, otter, deer, sheep, and elk skins, in barter for ammuniton, fire-arms, knives, tobacco, beads, awls, &c."

In the mid 1830's, the Hudson's Bay Company was become a competitive threat in the area. To hold them back, Antoine Robidoux built a third post, called Fort Robidoux in 1837 near the confluence of the Green and White Rivers. Fort Robidoux was probably just a temporary post, and when in 1838 the Hudson's Bay Company withdrew from the Unitah Basin, Fort Robidoux was also abandoned. This Map shows the location of Fort Robidoux.

Towards the end of the 1830's prices paid for beaver pelts declined precipitously. To make up for lost revenues, Fort Uncompahgre increased its trade in California horses, and in Indian slaves. Although the taking of new slaves was prohibited by the Spanish and later Mexican authorities, in practice the prohibition was not enforced. Powerful tribes would capture the women and children of their weaker neighbors and sell them in the northern colonies (New Mexico) where demand for laborers and wives was high. In the 1830's boys between the ages of 8 to 12 years were valued at \$50 to \$100 in trade goods and girls were worth approximately twice as much. By 1841 other developments were changing the economics of the fur trade. The Oregon Trail had been opened up, taking a steady stream of immigrants across the plains, through South Pass and on to Oregon and California. In addition to immigrants, the trail became a major route for

hauling freight, supplying posts such as Fort Hall and Fort Bridger. Resulting lower freight costs combined with industrial expansion in the east meant much lower prices were being charged for trade goods than Robidoux could offer with his Santa Fe based operations. The Indians, unable to understand the logistical and industrial economics, concluded that they had been cheated for years by the Santa Fe and Taos traders, including Robidoux.

During the summer of 1843, hostilities broke out between the Utes and Mexicans of the Santa Fe area. Warfare spread up the San Luis Valley and thence over into the basin of the Gunnison River engulfing Fort Uncompahgre, which was staffed almost entirely by Mexican employees. The "fort" which was designed more as a holding area for livestock, and to secure the trade goods and furs, was never intended as a defensive structure for war. With one exception, all of the Mexicans were slaughtered and their women taken prisoner. Only a single Mexican trapper, Calario Cortez, escaped the carnage. Fourteen days later, hungry and exhausted he arrived in Taos.

The Utes also captured alive an American who was visiting at the fort. He was later released with a message for Antoine Robidoux that the furs, hides and buildings were intact, and that the Utes' quarrel was with the Mexicans, not the Americans or the French. What motivated the Utes is uncertain: did they expect that Robidoux would return to the fort as if nothing had happened, or were they trying to lure him back so he too could be killed is unknown. Also, it is not known why the Utes didn't attack Fort Uintah, which was also staffed by Mexicans. In any case, Fort Uncompahgre was left standing vacant for about two years before it was destroyed by local Utes. Antoine Robidoux never returned to the Uintah Basin to trap or trade for furs.

In 1990 Fort Uncompahgre was reconstructed upriver from its presumed original location on land owned by the city of Delta, Colorado. The fort images in this description were taken in the autumn of 2005.

The images in this section are taken of the reconstructed fort located at Delta, Colorado. For more information about Fort Robidoux see:

Antoine Robidoux and Fort Uncompahgre, by Ken Reyher, 1998, Western Reflections Publishing Company, Montrose, Colorado.

<http://www.mman.us/fortuncompahgre.htm>

~~~~~

<http://www.fs.usda.gov/main/gmug/workingtogether/tribalrelations>

Many of the ancestral lands of three Ute Tribes are now managed by the Grand Mesa, Uncompahgre and Gunnison National Forest. Our National Forest specialists work closely with tribal councils and committees in coordinating special Forest projects.

Ute Indian Tribe (Northern Utes) headquarters located on the Uintah-Ouray Reservation in Fort Duchesne, Utah

Southern Ute Indian Tribe -headquartered in Ignacio, Colorado

Ute Mountain Ute Tribe -headquartered in Towaoc, Colorado

Forest projects are presented to the tribes according to the special government-to-government relationship each Forest has with the tribes. Tribal comments are recorded for future consideration in project planning.

**Other tribal relationships include:**

- Working with elders and youth on the Ute Ethnobotany Project
- Ute Learning Garden in partnership with the Ute Tribe, BLM, CSU Extension Agency, Mesa State College, and others
- Hosting a Summer Camp on Grand Mesa for Ute students

\*\*\*\*\*

**NASE Foundation Future Entrepreneur Scholarship**

The NASE Foundation Future Entrepreneur Scholarship program promotes youth entrepreneurship. The program provides financial aid to selected individuals to assist them in obtaining an undergraduate college or university degree.

One NASE Foundation Future Entrepreneur scholarship of up to \$24,000 (\$12,000 in the first year, with the option for \$4,000 renewals in subsequent years if eligible) will be awarded each year, and one NASE Foundation Future Entrepreneur runner-up scholarship of \$4,000 will also be awarded annually.

Applicants for the NASE Foundation Future Entrepreneur scholarship must own and operate their own business, and must be able to demonstrate through the application how their selected course of study supports their business or career goals.

Read FAQs about the program and apply online today!

~~~~~

NASE Scholarship Program

College scholarships for your dependents. Over \$1.8 million has already been awarded!

Since 1989, the NASE Scholarship Program has awarded more than \$1.8 million to members' dependents. Your son or daughter may qualify!

This award-winning program is open to legal dependents of NASE Members, ages 16-24. To apply, students need to be high school students or college undergraduates planning to enroll in college for the upcoming fall semester. Multiple college scholarships of \$4,000 are awarded each year.

Consideration is based upon:

- * Leadership abilities
- * Academic performance
- * Teacher recommendations
- * Career and educational background
- * School and community participation
- * Financial need

Apply today!

~~~~~

**Growth Grants®**

*Apply for a business development grant from the NASE worth up to \$5,000!*

Do you have plans for the steps you would take to grow your business, if you only had the available capital to do so? Would you hire and train additional employees? Market your business in new and exciting ways? Invest in new equipment or software? The NASE can help. Since 2006, the NASE has awarded over half a million dollars to members just like you through the Growth Grants® program.

Visit the Growth Grants® page for more information and to apply online.

## **NASE Scholarship Program Frequently Asked Questions**

### **Who is eligible to apply?**

Applicants must meet all of the following criteria to be eligible for this scholarship:

- be a high school senior, college freshman, sophomore or junior
- be a dependent son or daughter of an NASE Member in good standing with dues paid current at the time of award have grade point average of 3.0 or above on a 4.0 scale
- Applicants must submit a separate application if they wish to apply for the NASE

Foundation Future Entrepreneur Award. If an applicant for this scholarship receives an NASE Foundation Future Entrepreneur Award, they will be removed from the applicant pool for this scholarship.

Dependents whose parents are employees or contracted by the NASE or any affiliated company are not eligible for this scholarship.

**When is the application deadline?      April 1, 2013**

### **What are the details of the award?**

Multiple scholarships of \$4,000 will be awarded annually and are not renewable.

The scholarships will be applied to tuition, fees, books, supplies and equipment required for course load.

Institutions must be accredited, nonprofit two or four-year colleges/universities in the United States.

A student may transfer from one institution to another and retain the award.

What are the selection criteria?

An independent selection committee will evaluate the applications and select the recipients considering:

- Leadership characteristics-dedication, commitment, above-average academic standing
- Career/education aspirations and goals
- Extracurricular activities
- Community involvement
- Work Experience
- Recommendations of teachers or other references
- Past academic performance and financial need

Decisions of the selection committees are final and are not subject to appeal. No application feedback will be given.

### **Which school should I list on the application if I have not made a final decision?**

You should list your first choice on the application. If you are chosen to receive an award, it will be your responsibility to make certain ISTS is aware of your final school choice so that your check can be issued accordingly.

\*\*\*\*\*

On Facebook for Reno area:

*If you or you know someone who is either looking for a job or know someone who is hiring, please direct them to Word-of-Mouth "Jobs" Reno for assistance. Thank you!*

\*\*\*\*\*

<http://www.ala.org/tools/libfactsheets/alalibraryfactsheet12>



## ALA Library Fact Sheet 12 - Sending Books to Needy Libraries: Book Donation Programs

[www.ala.org](http://www.ala.org)

ALA Library Fact Sheet that lists the various groups and organizations that accept book donations for distribution in the United States as well as overseas.

\*\*\*\*\*

<http://nonprofitorgs.wordpress.com/2012/12/27/50-fun-useful-and-totally-random-resources-for-nonprofits/>  
**85 Low-Cost or Free Web-Based Tools for Nonprofits**    [nonprofitorgs.wordpress.com](http://nonprofitorgs.wordpress.com)

The number of low-cost or free, web-based resources and tools available to nonprofits today is astounding. Many nonprofit professionals are overwhelmed by the all choices – and as the Mobile Web an...

\*\*\*\*\*

### Joseph Galata

*it's now confirmed.. we are adding a performer from the TV Golden Globe nominated TV Series SMASH to come to Reno to join a star from GLEE and performers from the Broadway casts of 42ND STREET, ROCK OF AGES, SWEENEY TODD, THE MUSIC MAN, and a few others.. to do a weekend of master dance, singing, theatre classes for both professionals and non professionals in the Reno area... March 16-17. Yeah!*

\*\*\*\*\*

### Film Festival, January 24–28, 2013 – Human Rights Watch Film Festival

[ff.hrw.org](http://ff.hrw.org)

\*\*\*\*\*

**\*<http://www.history.com/topics/native-american-cultures>**

\*\*\*\*\*

Please Join Us at the Sycuan Theatre To showcase a newly published work

### **Murder State: California's Native American Genocide**

**By Author** Brendan Lindsay, Ph.D.

**With introductions and historical context provided by**

Steven Newcomb (Shawnee/Lenape) Author of Pagans in the Promised Land: Decoding the Doctrine of Christian Discovery

**and**

Michael Connolly Miskwish, Kumeyaay Historian Author of Kumeyaay: A History Textbook, Vol. 1

**January 10th**

**1:00 p.m. to 5:00 p.m. Sycuan Theatre, Sycuan Casino Sycuan Indian Reservation**

**Kumeyaay Territory**

For more information please contact: [stv4newcomb@yahoo.com](mailto:stv4newcomb@yahoo.com) (619) 618-9346

Please RSVP

Sponsored by the Sycuan Band of the Kumeyaay Nation Refreshments will be served

**A Book Review: Murder State: California's Native American Genocide, 1846-1873**



By: Steven Newcomb August 10, 2012

Once in a while a book comes along that is transformative. *Murder State*, by Brendan Lindsay, is such a book. Recently released by University of Nebraska Press, *Murder State* is heart-wrenching and deeply informative. I see it as one of the most important works ever published on the history of American Indians in California in the mid-nineteenth century. It ranks up there with David Stannard's 1992 masterpiece *American Holocaust*, in the context of overall Indian history.

Lindsay uses the UN Genocide Convention, Rafael Lemkin (who coined the term "genocide"), and genocide studies as key aspects of his framework of analysis. He has provided a meticulously detailed and comprehensive account of the murderous treatment of the original peoples of California by Euro-Americans who poured onto Indian lands during the gold rush days. White citizen groups utilized democratic processes as a means of committing genocide against the original nations and peoples of California.

It was methodical, it was well-planned and it was well-executed—with lethal and ghastly results. For the sake of dead cattle, sometimes killed by starving Indians, and often for the sake of dead cattle not killed by Indians at all, thousands of Indians were wantonly murdered. Vigilante groups were democratically formed, financed by local citizens, to hunt Indians down and kill them as if they were animals destined to be slaughtered. The lives of cattle were deemed much more valuable than the lives of Indians, who were considered to be a nuisance that needed to be removed permanently, "by death or deportation," so the whites could help themselves to valuable Indian lands and resources.

It was all done in the spirit of Manifest Destiny, yet, ironically at times a few U.S. Army officers tried to defend Indian people, to no avail.

During that time, the kidnapping and rape of Indian women was treated as a sport or a readily available form of entertainment for white men who could not be punished for such egregious conduct under white laws. The kidnapping of surviving Indian children by whites was rampant. Forced Indian labor became a way of life to fuel the white economy.

In the chapter "Advertising Genocide," Lindsay recounts the description of the Indian Island Massacre, as published in *Northern Californian Union* in 1860, by a twenty-four year old newspaper guest editor named Francis Bret Harte. Lindsay states that "Since the women and children were unarmed, the volunteers mostly saved their ammunition, instead hacking them to death with axes and knives." Harte, the guest editor, explained what happened to Wiyot people under a doctrine of extermination:

*Little children and old women were mercilessly stabbed and their skulls crushed with axes.... Old women wrinkled and decrepit lay weltering in their blood, their brains dashed out and dabbed with their long grey hair. Infants scarce a span long, with their faces cloven with hatchets and their bodies ghastly with wounds.... No resistance was made, it is said to the butchers who did*

*the work, but as they ran or huddled together for protection like sheep, they were struck down with hatchets. Very little shooting was done, most of the bodies having wounds about the head.*

Lindsay goes on to explain that because he “tried to demonstrate the monstrosity of Euro-American actions, Harte seemed to local people to be a traitor to his own race.” A grand jury convened to look into the matter ended its proceedings without concluding anything. “No evidence existed, the jurors claimed, to bring charges.” Lindsay explains that one editor of the Humboldt Times claimed that people who “lamented the massacre” and “shed crocodile tears over the poor Indians” were “fools.”

In his preface, Lindsay explains that during his seven years of graduate work, and as a university lecturer, “I encountered many students colleagues, and faculty unwilling to accept the argument that genocide had been committed upon Native Americans in California and the United States during the nineteenth century.” Such people had the impression, he explains, “that the tremendous loss of lives was instead an unintended consequence or even a necessary evil of the advance of Western civilization or national progress.”

That the history of the treatment of Indian nations and peoples is a history of domination, dehumanization, and genocide is the inevitable conclusion to draw after reading *Murder State*.

As Peter H. Burnett, governor of California put it in an 1852 “Address to the Legislature”: *That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected; while we cannot anticipate this result with but painful regret, the inevitable destiny of the race is beyond the power and wisdom of man to avert.*

When the carnage was over, white Euro-Americans had successfully reduced the Indian population of California by some 90 percent.

Some scholars have brilliantly referred to history as “a history of the present.” The genocide unleashed on the Indians of California in the nineteenth century is a key aspect of that history of the present. One of the lessons we can bring away after reading Mr. Lindsay’s book is that genocide is the wider historical context of contemporary issues in California and elsewhere, issues such as Indian nation sovereignty, land into trust, water, and the taxation of Indian nations by two institutional perpetrators and beneficiaries of that genocide, the state of California, and the federal government of the United States.

*Steven Newcomb (Shawnee, Lenape) is the co-founder and co-director of the Indigenous Law Institute, author of Pagans in the Promised Land: Decoding the Doctrine of Christian Discovery, and the Indigenous and Kumeyaay Research Coordinator for the Sycuan Band of the Kumeyaay Nation.*

\*\*\*\*\*

## Supreme Court to examine Indian Child Welfare Act requirements in adoption dispute

- **By [Robert Barnes](#), Published: January 4**

The Supreme Court added an emotional case to its docket Friday, agreeing to review a lower court's decision that federal law requires a couple to return the child they cared for since birth to her Native American father.

The South Carolina Supreme Court, saying it acted with a "heavy heart," agreed that Matt and Melanie Capobianco had to return Veronica, now 3, to her father Dusten Brown, a registered member of the Cherokee Nation in Oklahoma. The court voted 3 to 2 that the 1978 Indian Child Welfare Act, passed to make it harder to remove children from Indian parents, trumped state law.

The Capobiancos "are ideal parents who have exhibited the ability to provide a loving family environment" for the little girl, [Chief Justice Jean Hofer Toal wrote](#). But "because this case involves an Indian child, the ICWA applies and confers conclusive custodial preference to the Indian parent."

Veronica has been living with Brown and his parents in Oklahoma since the beginning of 2012.

The case is called [Adoptive Couple v. Baby Girl](#), and no names are used in the court documents.

But the battle over Veronica has attracted national attention, with the Capobiancos [pleading their case on "Dr. Phil"](#) and Indian activists defending the law as a [necessary measure to protect tribal heritage](#) and an answer to generations of abuse in removing children from their Indian parents.

The Supreme Court has experience in the emotional toll of such cases. Justice Antonin Scalia for years has said a previous case involving the ICWA was one of the toughest of his career.

In that 1989 case, *Mississippi Band of Choctaw Indians v. Holyfield*, Scalia was in the majority saying the law required tribal courts to make decisions about Indian adoptions, even though it meant toddler twins might have to be removed from their adoptive parents. (In the end, a tribal court decided to leave the children where they were.)

The facts of the current case are no less wrenching. Veronica is the product of what appears to be a stormy relationship between Brown and Veronica's mother. The two became engaged in December 2008, and she informed him a month later that she was pregnant. Brown at the time was serving in the Army in Oklahoma.

Brown advocated for moving up the wedding; Veronica's mother resisted, and the relationship soured. She broke it off in a text message in April.

In June, she asked Brown if he wanted to support the child or give up his parental rights. He replied, in another text message, that he would give up his rights. He said later he meant to pressure his former fiancée to reconsider marriage.

But the mother, who already had two other children by another father, had by then decided to give up the baby, and the Capobiancos were eager to adopt. Matt Capobianco works for Boeing, and his wife, Melanie, has a PhD in developmental psychology. Matt Capobianco cut the umbilical cord when Veronica was born.

But Brown said that he was shocked when, just before shipping out for Iraq, he learned that the child was being put up for adoption. He called a lawyer and started the legal process that has arrived at the Supreme Court.

A South Carolina family court judge and a majority of the state supreme court said the ICWA mandates a clear preference for keeping the child with her biological Indian father, and there is no evidence that he is not a fit parent.

Both Veronica's mother and a guardian appointed to look out for the child's interests sided with the Capobiancos, as did Justice John W. Kittredge.

He said the court's majority "has recast the facts to portray Father in an undeserved favorable light. . . . The reality is Father purposely abandoned this child and no amount of revisionist history can change that truth."

The Supreme Court will look at whether it matters under the federal law that Brown is an unwed father who had given up his rights to the child. The justices will likely hear the case in April, along with two other cases accepted Friday.

One, *United States v. Davila*, concerns a federal judge's role in a defendant's decision to accept a plea bargain. The U.S. Court of Appeals for the 11th Circuit in Atlanta said a magistrate judge's involvement leading to the plea deal means the guilty plea must be thrown out. Other courts have said the plea should be overturned only if the judge's action could be seen as inducing the defendant to take the deal.

The other, *Tarrant Regional Water District v. Herrmann*, concerns a water dispute between Fort Worth and Oklahoma over drawing water from the Red River.

\*\*\*\*\*

## [Russian President Putin signs anti-U.S. adoption bill](#)