

Osage given extension for appeal on reservation

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The U.S. Supreme Court on Monday granted the Osage Nation's request to extend the deadline to file an appeal over the status of the tribe's reservation.

The tribe now has until Oct. 22 to appeal to the high court over a lower court and federal appeals court ruling that the Osage Reservation ceased to exist in the early 1900s.

The tribe filed the lawsuit in 2001 against the Oklahoma Tax Commission and asserted that federal law prohibits states from taxing the income of tribal members who live and earn income in what the law defines as Indian Country, maintaining that what is now known as Osage County had retained its status as an Indian reservation.

However, the rulings might have put three of the tribe's Million Dollar Elm casinos in jeopardy — including its largest one in Tulsa.

The casinos do not sit on land held in trust by the federal government, which is a requirement for Indian casinos in states where gambling is illegal.

Outgoing Principal Chief Jim Gray praised the court's decision, saying it gave time for the tribe's new administration to decide a course of action.

Gray lost his bid for re-election last month, and a runoff election between the top two vote-getters for principal chief, John D. Red Eagle and Tim Tall Chief, was held Monday. The winner was not known at press time.

"This decision allows the new Osage leadership to weigh all options and decide on what's best for the Osage Nation," Gray said.

"It wouldn't have been appropriate for me to make that decision just days before the new chief takes office."

In May, the 10th U.S. Circuit Court of Appeals denied the tribe's request to rehear the case after upholding the lower court's ruling.

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