

United States Court of Appeals
For the Eighth Circuit

No. 21-1570

Miriam C. Montileaux; Charles T. Montileaux, Sr., individually and as special administrator of the estate of Cheryl Montileaux and Charles T. Montileaux, Jr.; Naomi Montileaux

Plaintiffs - Appellants

Cheryl Montileaux, Deceased; Charles T. Montileaux, Jr., Deceased

Plaintiffs

v.

The Diocese of South Dakota, Episcopal; Chapter of Calvary Cathedral, Holding Company for Diocese; Jonathan Folts, The Right Reverend; Randy Reinartz, Bishop; Trustee First National Bank, in Sioux Falls, South Dakota; Tom Benz, Employee; Alan Meyers, of Wealth Management Dept.; Bob Baker, President of Bank; Chris Ekstrum

Defendants - Appellees

Appeal from United States District Court
for the District of South Dakota - Western

Submitted: July 21, 2021

Filed: July 26, 2021

[Unpublished]

Before LOKEN, KELLY, and ERICKSON, Circuit Judges.

PER CURIAM.

Appellants, who are members of the Montileaux family and the Oglala Sioux Tribe, brought this action claiming violations of the Treaty of Fort Laramie of 1868. The district court¹ dismissed the action without prejudice for lack of subject matter jurisdiction, and the Montileauxs now appeal. After careful review of the record and the parties' arguments on appeal, we conclude that dismissal was proper for the reasons explained by the district court. See Buckler v. United States, 919 F.3d 1038, 1044 (8th Cir. 2019) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.