

FRED E. SCHULZ, and CAROL M. SCHULZ, Plaintiffs

v.

THE UNITED STATES PEACE CORPS, ROGER FLATHER,
Director of Peace Corps Micronesia, and
JIM BYRNE, Director of Peace Corps Palau, Defendants

Civil Action No. 440

Trial Division of the High Court

Palau District

November 3, 1969

Motion to dismiss by defendant agency of the United States. The Trial Division of the High Court, D. Kelly Turner, Associate Justice, granted the motion holding that the High Court does not have jurisdiction over an agency of the United States nor over its officers in Micronesia.

United States-Suits Against

The High Court does not have jurisdiction over Peace Corps, an agency of the United States, nor over its officers in Micronesia.

TURNER, *Associate Justice*

The above-captioned matter being before the court on defendants' motion to dismiss on the grounds the court does not have jurisdiction over the defendant Peace Corps, an agency of the United States, nor over its officers in Micronesia who are named defendants; the motion having been before the court at its August sitting and defendants not being present nor represented to urge their motion, it was continued to the November sitting. At the call of the calendar, neither defendants or their representatives, nor the plaintiffs were present and the court having examined the defendants' points and authorities in support of the motion to dismiss, and it appearing this matter is governed by the principles set forth in *Alig v. Trust Territory*, 3 T.T.R. 603, which relate to suits against the United States; also see: *Dugan v. Rank*, 83 S.Ct. 999. *State of Minnesota v. United*

States, 59 S.Ct. 292. *Kawananakoa v. Polyblank*, 27 S.Ct. 526, it is, therefore,

Ordered that the motion to dismiss with prejudice is granted and the above-entitled matter be and hereby is dismissed with prejudice.

SAU ELLECHEL, Plaintiff

v.

CHRIS BERG CONSTRUCTION COMPANY, INC., Defendant

Civil Action No. 409

BERSIK SANTOS, Plaintiff

v.

CHRIS BERG CONSTRUCTION COMPANY, INC., Defendant

Civil Action No. 410

SKILANG RECHEUNGEL, Plaintiff

v.

CHRIS BERG CONSTRUCTION COMPANY, INC., Defendant

Civil Action No. 414

Trial Division of the High Court

Palau District

November 4, 1969

Action for damages caused by defendant when clearing construction site. The Trial Division of the High Court, D. Kelly Turner, Associate Justice, held that where report of team sent by Trust Territory Government to appraise damages appeared to be reasonable it was sufficient to sustain claims of plaintiffs.

Civil Procedure-Damages

Where report of team of surveyors and agricultural appraisers as to loss occasioned by bulldozing of crops on land leased by government appeared to be reasonable, it was sufficient to sustain plaintiff's claims.