

Appellant's third and last contention is that the Trial Court erred in finding appellee to be a real party in interest. As this Court has stated on numerous occasions that it is not the function of the Appellate Court to set aside the findings of the Trial Court unless clearly erroneous. 6 TTC 355. We have read the transcript of the trial proceedings and we find substantial evidence to support the findings of the Trial Court.

In view of the foregoing, the Judgment of the Trial Court is hereby AFFIRMED.

IN RE THE MINOR CHILD
AWASIO ERAM THREADGILL

Civil Appeal No. 283

Appellate Division of the High Court

January 22, 1979

BURNETT, *Chief Justice*

On January 10, 1979, the trial court entered an Order granting petitioner Priscilla Threadgill temporary custody of the minor child. The Order was clearly temporary in nature, and contemplated further hearing at which respondent, natural father of the child, would be represented by counsel.

Thereafter, on petition of the father, I ordered that the child not be removed from the jurisdiction pending final determination. I entertained the matter for that limited purpose only; the merits of the case are not before me.

The trial court entered further order, following that of this Court, on January 12, 1979, restraining removal of the child, and continuing bond provisions of its first order. The parties have not yet had the final hearing contemplated

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by that Order of January 10, 1979. All of these matters remain pending in the Trial Division.

It is therefore Ordered, that

1. Application of Priscilla Threadgill, by counsel, to vacate this Court's Order of January 12, 1979, is denied.

2. Civil Action 2-79 remains pending in the Trial Division, Truk District for all purposes until final disposition on the merits.

TIKEI NGIKLEB, Plaintiff-Appellant

v.

KEBEKOL NGIRAKELBID, Defendant-Appellee

Civil Appeal No. 184

Appellate Division of the High Court

Palau District

January 29, 1979

Action for redistribution of award of Micronesian Claims Act Commission. The Appellate Division of the High Court, Laureta, Temporary Justice, held that although the act prohibited appeal of the award, actions to determine distribution of the award were not prohibited.

Real Property—Micronesian Claims Act—Contested Awards

Micronesian Claims Act provision stating that settlements and payments shall be final and conclusive for all purposes and not subject to review precludes appeals from final decisions of the claims commission in granting or denying claims and appeals challenging the amounts awarded, but does not preclude the courts from making determinations as to and among the rightful recipients of the awards.

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