

APR 21 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WESTERN SHOSHONE NATIONAL COUNCIL; RAYMOND YOWELL; ALLEN MOSS; JOE KENNEDY; JOHN WELLS; CARRIE DANN; JOHNNY BOBB; BENNY RILEY; THE TIMIBISHA SHOSHONE TRIBE; DANN BAND; ELKO BAND; SOUTH FORK BAND; WINNEMUCCA INDIAN COLONY,

Plaintiffs - Appellants,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

No. 06-16214

D.C. No. CV-04-00702-LRH

MEMORANDUM *

WESTERN SHOSHONE NATIONAL COUNCIL; RAYMOND YOWELL; ALLEN MOSS; JOE KENNEDY; JOHN WELLS; CARRIE DANN; JOHNNY BOBB; BENNY RILEY; THE TIMIBISHA SHOSHONE TRIBE; BATTLE MOUNTAIN BAND,

Plaintiffs,

No. 06-16252

D.C. No. CV-04-00702-LRH

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

and

DANN BAND; ELKO BAND; SOUTH
FORK BAND; WINNEMUCCA INDIAN
COLONY; ELKO BAND; SOUTH FORK
BAND; TE-MOAK TRIBE OF
WESTERN SHOSHONE INDIANS;
WINNEMUCCA INDIAN COLONY,

Plaintiffs - Appellants,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

Appeal from the United States District Court
for the District of Nevada
Larry R. Hicks, District Judge, Presiding

Argued and Submitted April 15, 2008
San Francisco, California

Before: KOZINSKI, Chief Judge, GOULD and N.R. SMITH, Circuit Judges.

The district court properly dismissed the quiet title claims which are barred by the twelve-year statute of limitations in the Quiet Title Act. *See* 28 U.S.C. § 2409a(g). The remaining claims were properly struck as redundant or immaterial. *See* Fed. R. Civ. P. 12(f).

AFFIRMED.