

San Carlos Apache Tribe
Department of Justice
Criminal Division
Justine Jimmie (AZBN 019148)
Deputy Attorney General
Post Office Box 992
San Carlos, Arizona 85550
Tel. (928) 475-2397
Fax (928) 475-3348
E-Mail: justine.jimmie@scat-nsn.gov
E-Mail: charlene.laplante@scat-nsn.gov

**IN THE SAN CARLOS APACHE CHILDREN'S COURT
SAN CARLOS APACHE RESERVATION
SAN CARLOS, ARIZONA**

In the Matter of:

Case No.: **CW-2026** _____

WALKER MCINTOSH

DOB: 10/03/2021

KYRIE KINDELAY

DOB: 05/24/2016

JONESSA PERRY

DOB: 09/22/2019

CHILD IN NEED OF CARE PETITION

Minor Children

The San Carlos Apache Tribe, by and through its representative undersigned petitions the Children's Court, pursuant to Chapter IV, Title V, Section 15. C. of the Child and Family Protection Code ("CFPC") to make the above minor/minors temporary wards of the Court pending further proceedings, based on the following:

Jurisdiction

1) The minor children, Walker McIntosh (Age: 4), Kyrie Kindelay (Age: 10), and Jonessa Perry (Age: 6), are dependent Native American Indian children and are

- 1 tribally affiliated as eligible to be enrolled members with the San Carlos Apache
2 Tribe.
- 3 2) The Children's Court of the San Carlos Apache Tribe ("Tribe") has exclusive
4 jurisdiction pursuant to the San Carlos Apache Law and Order Code (SCALOC)
5 Chapter 3, Title V, of the Child and Family Protection Code (CFPC), under Section
6 5 (A) General Jurisdiction.
- 7
- 8 3) The mother of the minor children is Alyssa McIntosh. The father of the minor child,
9 Kyrie Kindelay, is Kyle Kindelay. The minor children, Walker McIntosh and
10 Jonesssa Perry, do not have fathers listed on their birth certificates. The parent(s) are
11 enrolled members of the San Carlos Apache Tribe, which is a federally recognized
12 Indian tribe. As such, the minor children are eligible for membership with the San
13 Carlos Apache Tribe, which establishes Jurisdiction of the San Carlos Apache
14 Children's Court pursuant to SCAT-CFPC.

15
16 **Specific Allegations**

- 17
- 18 4) On June 23, 2026, Child Protective Services Investigator Lori Goode received a
19 report from Lisa Kindelay, paternal grandmother of the minor children, that she had
20 in her care two of her grandchildren, but did not have legal authority to care for them.
- 21 5) Lisa Kindelay said that she had in her care Kyrie Kindelay and Jonessa Perry.
22 Another minor child, Walker McIntosh was being care for by other relatives.
- 23 6) Lisa Kindelay reported that the mother, Alyssa McIntosh, left the minor children
24 about a year ago when she left to a rehabilitation program in Utah.
- 25 7) The grandmother said that the mother Ms. McIntosh failed to arrange for the care of
26 her minor children when she left.
- 27
28

- 1 8) Since the mother abandoned the minor children, Lisa Kindelay and another family
2 member have cared for and supported the three minor children.
- 3 9) Lisa Kindelay, paternal grandmother, also reported that the father of the minor child,
4 Kyrie Kindelay, is her son, Kyle Kindelay. She said that he lives in her home but that
5 he does not care for the children and comes and goes at his will.
- 6
7 10) Ms. Kindelay said that Kyle Kindelay is the father of the minor children, Kyrie
8 Kindelay. She said that the father of the minor children, Walker McIntosh and
9 Jonessa Perry, is not identified.
- 10 11) Ms. Kindelay said that the minor child, Kyrie Kindelay, is a member of the San
11 Carlos Apache Tribe. Walker McIntosh and Jonessa Perry are not members of the
12 Tribe but may be eligible for enrollment.
- 13
14 12) Ms. Kindelay said that had not been able to find the mother until June 23, 2026,
15 when she learned that the mother Alyssa McIntosh was at a rehab program in Utah.
- 16 13) Ms. Kindelay said she has been having problems providing for the minor children
17 because she did not have any legal documents to enroll them in school and to get
18 them medical care.
- 19
20 14) She said that, in February 2025, the minor child, Jonessa Perry, needed dental
21 surgery, but Ms. Kindelay could not authorize the procedure because she did not have
22 any court order giving her legal authority over the minor children.
- 23 15) At that time, the mother was unavailable to authorize the dental procedure for
24 Jonessa Perry.
- 25 16) The grandmother, Lisa Kindelay, said that the minor child, Walker McIntosh, is
26 cared for by a maternal aunt, Lynessa McIntosh.
- 27
28

- 1 17) Lori Goode, CPS investigator, spoke with Lynessa McIntosh about the report of
2 abandonment of the minor children.
- 3 18) Lynessa McIntosh said that she has cared for Walker McIntosh for about 11 months.
- 4 19) Lynessa McIntosh said that she has had a Power of Attorney for Walker McIntosh
5 that she got with help from the San Carlos Apache Healthcare Corporation. She said
6 the POA will expire this month.
- 7
- 8 20) She said that the mother has been unresponsive to her requests for another POA even
9 though she regularly communicates with the mother.
- 10 21) Lynessa McIntosh said that she has enrolled Walker in school and takes him to
11 medical appointments every three months for anemia.
- 12 22) Lori Goode asked Ms. McIntosh to ask the mother to contact her at the Tribe's Social
13 Services offices.
- 14
- 15 23) Ms. Goode has concerns for the minor children's safety because the mother and
16 father have abandoned them and their relatives who are caring for the minor children
17 are unable or will be unable to care for them without legal authority to do so.
- 18 24) On June 23, 2026, Ms. Goode gave a Temporary Custody Notice, listing her safety
19 concerns for his child and her reason for removal of Kyrie Kindelay from the father,
20 Kyle Kindelay's care, to his mother, Lisa Kindelay with a request that she give him
21 the TCN.
- 22
- 23 25) Ms. Goode has not contacted the mother, Alyssa McIntosh, because she did not have
24 means of contact for the mother, who reportedly is at a rehab program in Utah. So,
25 Ms. Goode has not given a TCN to Ms. McIntosh.
- 26
27
28

1 26) Ms. Goode did give agreements to the relatives, Lisa Kindelay and Lynessa
2 McIntosh, who have been caring for the minor children.

3 27) CPS Investigator Lori Goode provided a report on her initial investigation
4 concerning the allegations of this petition.
5

6 **Placement**

7 28) Paternal grandmother, Lisa Kindelay, has been caring for the minor children, Kyrie
8 Kindelay and Jonessa Perry, since the mother Alyssa McIntosh abandoned them when
9 she left nearly a year ago.

10 29) Maternal aunt, Lynessa McIntosh, has been caring for the minor child, Walker
11 McIntosh, during the same time. Although Lynessa McIntosh has a power of attorney
12 for Walker, it is set to expire soon, and the mother Alyssa McIntosh has been
13 unresponsive to requests to sign a new POA.
14

15 30) CPS Investigator Lori Goode was not able to contact the mother Alyssa McIntosh,
16 who reportedly is in a rehab program in Utah, so she asked mother's sister, Lynessa
17 McIntosh, to ask the mother to contact her. Ms. Goode has not given the mother
18 Alyssa McIntosh a Temporary Custody Notice, indicating the reasons for the removal
19 of the minor children from her ability to care for her minor children.
20

21 31) On June 23, 2026, Lori Goode gave a TCN to Lisa Kindelay, mother of father Kyle
22 Kindelay, with a request to give it to Mr. Kindelay. Ms Goode did not have contact
23 with Mr. Kindelay because while he lives with his mother, he comes and go at will.

24 32) Precautionary efforts will be made available for the minor children's protection
25 pursuant to CFPC Section 13. B. 1. The minor child, Walker McIntosh, is placed as a
26 temporary ward with the San Carlos Apache Children's Court and the San Carlos
27
28

1 Tribal Social Services Department. The minor child, Walker McIntosh is placed with
2 Lynessa McIntosh, maternal aunt, in San Carlos, AZ. Minor children, Kyrie Kindelay
3 and Jonessa Perry, are placed with Lisa Kindelay, maternal grandmother, in San
4 Carlos, AZ.

5
6 33) Current address of Parents and Relatives:

7 Parents: Mother Alyssa McIntosh
8 Reportedly at a rehabilitation program
9 in the state of Utah

10 Father Kyle Kindelay
11 Residence of Lisa Kindelay
12 160 White Mountain Avenue
13 San Carlos, AZ 85550

14 P.O. Box 510
15 San Carlos, AZ 85550

16 Placement: For Kyrie Kindelay and Jonessa Perry—
17 Lisa Kindelay, paternal grandmother
18 160 White Mountain Avenue
19 San Carlos, AZ 85550

20 P.O. Box 510
21 San Carlos, AZ 85550

22 For Walker McIntosh—
23 Lynessa McIntosh, maternal aunt
24 26 Tufa Stone
25 San Carlos, AZ 85550

26 P.O. Box 732
27 San Carlos, AZ 85550

28
Shelter Care Hearing

34) Based on the information provided above, the Tribe is recommending the minor
children be placed in temporary protective custody under the protection of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Children’s Court and request that the minor children be made temporary wards of the Court pending further proceedings.

35) Additionally, the Tribe requests, pursuant to CFPC Section 16, that a **Shelter Care Hearing** be scheduled within ten (10) working days of the filing of this Child in Need of Care Petition, pursuant to C.F.P.C. Section 16 (B).

I, Attorney Justine R. Jimmie, have read the foregoing and attest that the information contained herein is true and correct to the best of my knowledge.

Signed and dated this 25th day of June, 2026.

Justine R. Jimmie
Deputy Attorney General
San Carlos Apache Tribe