



San Carlos Apache Tribe
Department of Justice
Criminal Division
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IN THE SAN CARLOS APACHE CHILDRENS COURT
SAN CARLOS APACHE RESERVATION
SAN CARLOS, ARIZONA

In the Matter of:

XAVION RUSSELL
DOB: 07-15-2022

NAKIYA KINDELAY
DOB: 10-19-2023

Minor Children

Case No.: CW-2026- 0021

Motion for Interim Custody- EX PARTE

The San Carlos Apache Tribe, by and through its Deputy Attorney General, Justine R. Jimmie, moves the Children's Court for an **Ex Parte Order**, Granting the Tribe **Interim Custody** pursuant to the Child and Family Protection Code (CPFC) Title V. Ch. III Sec. 13. C. **Ex Parte Order**.

Upon receiving the necessary reports from the Child Protective Service Investigator Jerry James, the Tribe motions the Children's Court for an **Ex Parte Order** Granting the Tribe Interim Custody of the Minor Children, Xavion Russell and Nakiya Kindelay, who have been temporarily removed from the legal guardians and parents' care and custody. Mother is Beyonce Kindelay. Father of Xavion Russell is Kendrick Russell, Jr.

This **Ex Parte Order**, in its necessity, will establish the legality of holding the Minor Child or Children until a Shelter Care Hearing is scheduled and heard by the Children's Court. The Tribes Social Service Department will maintain the Provisional Care and Interim Custody of the Minor Child.

Signed and dated this 16th day of July, 2026.



Justine R. Jimmie
Deputy Attorney General
San Carlos Apache Tribe