

No. 17-1107

---

---

IN THE  
**Supreme Court of the United States**

---

MIKE CARPENTER, INTERIM WARDEN,  
OKLAHOMA STATE PENITENTIARY,  
*Petitioner,*

v.

PATRICK DWAYNE MURPHY,  
*Respondent.*

---

**On Writ of Certiorari to the  
United States Court of Appeals  
for the Tenth Circuit**

---

**JOINT APPENDIX  
VOLUME II**

---

LISA S. BLATT  
*Counsel of Record  
for Petitioner*  
ARNOLD & PORTER  
KAYE SCHOLER LLP  
601 Mass. Ave., NW  
Washington, DC 20001  
(202) 942-5000  
lisa.blatt@arnoldporter.com

PATTI PALMER GHEZZI  
*Counsel of Record  
for Respondent*  
ASSISTANT FEDERAL  
PUBLIC DEFENDERS  
215 Dean A. McGee  
Suite 707  
Oklahoma City, OK 73102  
(405) 609-5975  
patti\_p\_ghezzi@fd.org

---

---

**PETITION FOR CERTIORARI FILED FEBRUARY 6, 2018  
CERTIORARI GRANTED MAY 21, 2018**

## TABLE OF CONTENTS

Volume I	Page
U.S District Court for the Eastern District of Oklahoma (Muskogee), No. 6:03-cv-00443-RAW-KEW, Relevant Docket Entries .....	1
U.S. Court of Appeals for the Tenth Circuit, No. 07-7068, Relevant Docket Entries .....	5
C.A. Br. <i>Amicus Curiae</i> of Muskogee (Creek) Nation and Seminole Nation of Oklahoma ( <i>Seeking neither affirmance nor reversal</i> ), Appendix A, Excerpts of Historical Documents	
Excerpt of Annual Report of the Commission to the Five Civilized Tribes, H. Doc. No. 5, 56th Cong., 1st Sess. (1899).....	10
Excerpts of Commission to the Five Civilized Tribes, Annual Reports of 1894, 1895, and 1896 (1897) .....	14
Excerpt of Seventh Annual Report of the Commission to the Five Civilized Tribes, H. Doc. No. 5, 56th Cong., 2d Sess. (1900).....	24
Trespassers on Indian Lands, 230 Op. Atty Gen. 214 (1900) .....	31
Excerpt of Report of the Commissioner of Indian Affairs, H. Doc. No. 5, 60th Cong., 1st Sess. (1907).....	42
Welfare of Indians of Oklahoma, S. Rep. No. 1232, 74th Cong., 1st Sess. (1935).....	75
Statehood for the Territories, H. Rep. No. 496, 59th Cong. 1st Sess. (1906).....	80

<b>Volume II</b>	<b>Page</b>
C.A. Br. <i>Amicus Curiae</i> of Muscogee (Creek) Nation and Seminole Nation of Oklahoma ( <i>Seeking neither affirmance nor reversal</i> ), Appendix C, Department of the Interior Maps Showing Indian Reservations Within the Limits of the United States	
1900 Map.....	89
1901 Map.....	91
1902 Map.....	92
1903 Map.....	94
1904 Map.....	96
1905 Map.....	98
1906 Map.....	100
1907 Map.....	102
1908 Map.....	104
1909 Map.....	106
1910 Map.....	108
1911 Map.....	110
1912 Map.....	112
1913 Map.....	114
1914 Map.....	116

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

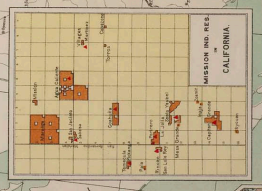
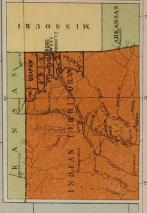
**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1900)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep1900p1/reference/history.annrep1900p1.i0051.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep1900p1/reference/history.annrep1900p1.i0051.pdf)



MAP  
SHOWING  
**INDIAN RESERVATIONS**  
WITHIN THE LIMITS OF THE  
**UNITED STATES**  
COMPILED UNDER THE DIRECTION OF THE  
**Hon. W.A. JONES,**  
Commissioner of Indian Affairs  
1900.



**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1901)**

*Available online at:*

<http://digicoll.library.wisc.edu/cgi-bin/History/Historyidx?type=turn&entity=History.AnnRep01p1.p0779&id=History.AnnRep01p1&isize=M>

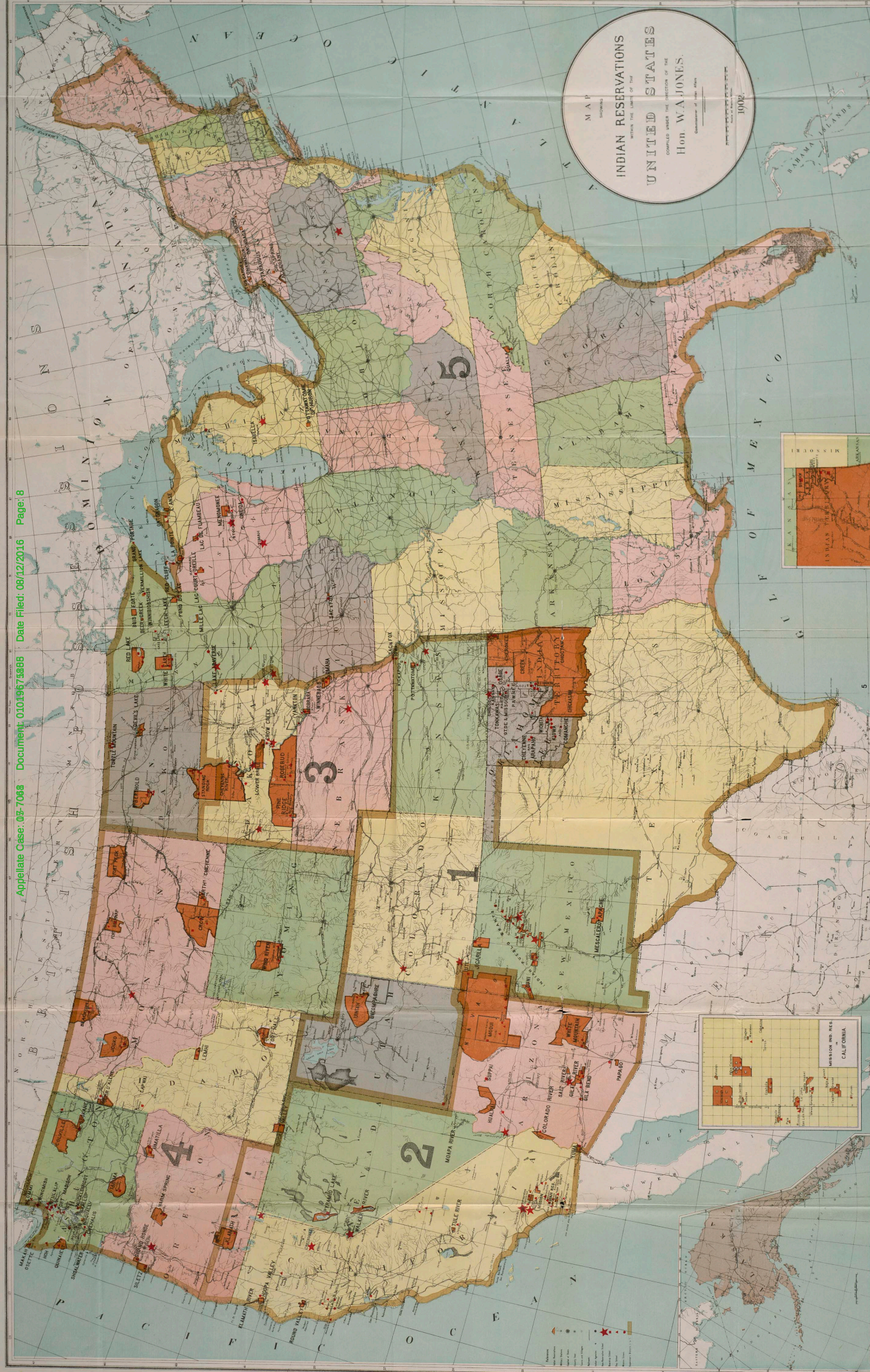
[Downloadable PDF image of this document not available]

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1902)**

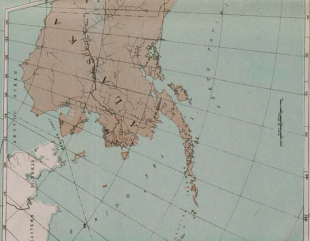
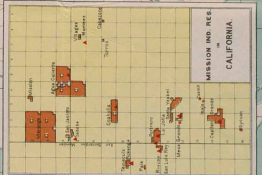
*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep02p1/reference/history.annrep02p1.i0047.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep02p1/reference/history.annrep02p1.i0047.pdf)



MAP  
SHOWING  
**INDIAN RESERVATIONS**  
WITHIN THE LIMITS OF THE  
**UNITED STATES**  
COMPILED UNDER THE DIRECTION OF THE  
**Hon. W. A. JONES,**  
COMMISSIONER OF INDIAN AFFAIRS.  
1902

Appellate Case: 05-7068 Document: 01019573899 Date Filed: 08/12/2016 Page: 8



\* Indian Reservation  
 \* Indian Agency  
 \* Indian School  
 \* Indian Office  
 \* Indian Cemetery  
 \* Indian Burial Ground  
 \* Indian Church  
 \* Indian School  
 \* Indian Office  
 \* Indian Cemetery  
 \* Indian Burial Ground  
 \* Indian Church

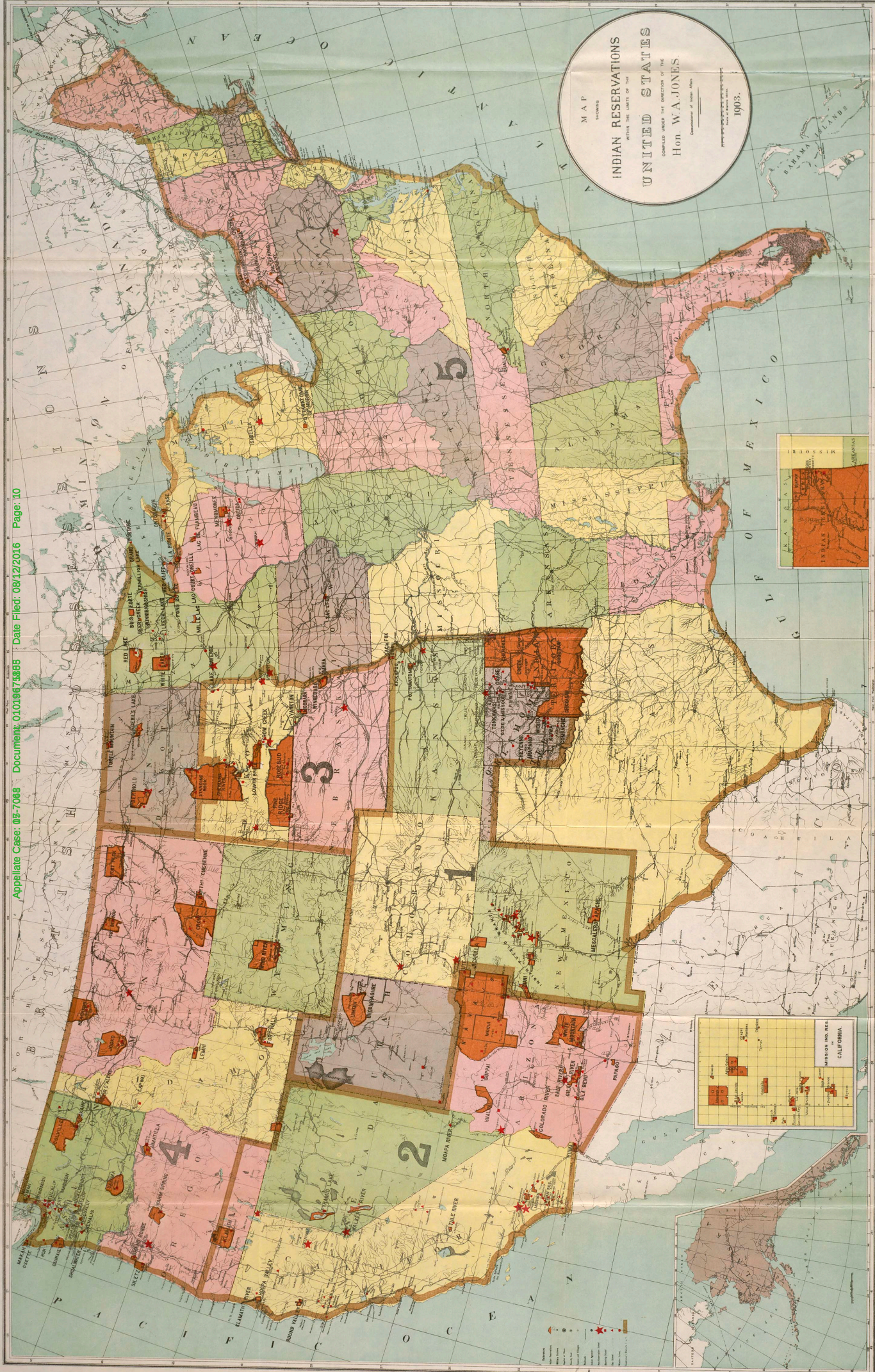


**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

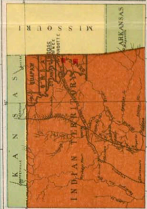
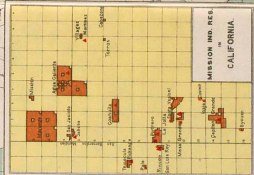
**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1903)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep03p1/reference/history.annrep03p1.i0049.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep03p1/reference/history.annrep03p1.i0049.pdf)



MAP SHOWING  
**INDIAN RESERVATIONS**  
WITHIN THE LIMITS OF THE  
**UNITED STATES**  
COMPILED UNDER THE DIRECTION OF THE  
Hon. W.A. JONES,  
Commissioner of Indian Affairs.  
1903.



**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1904)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep04p1/reference/history.annrep04p1.i0048.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep04p1/reference/history.annrep04p1.i0048.pdf)

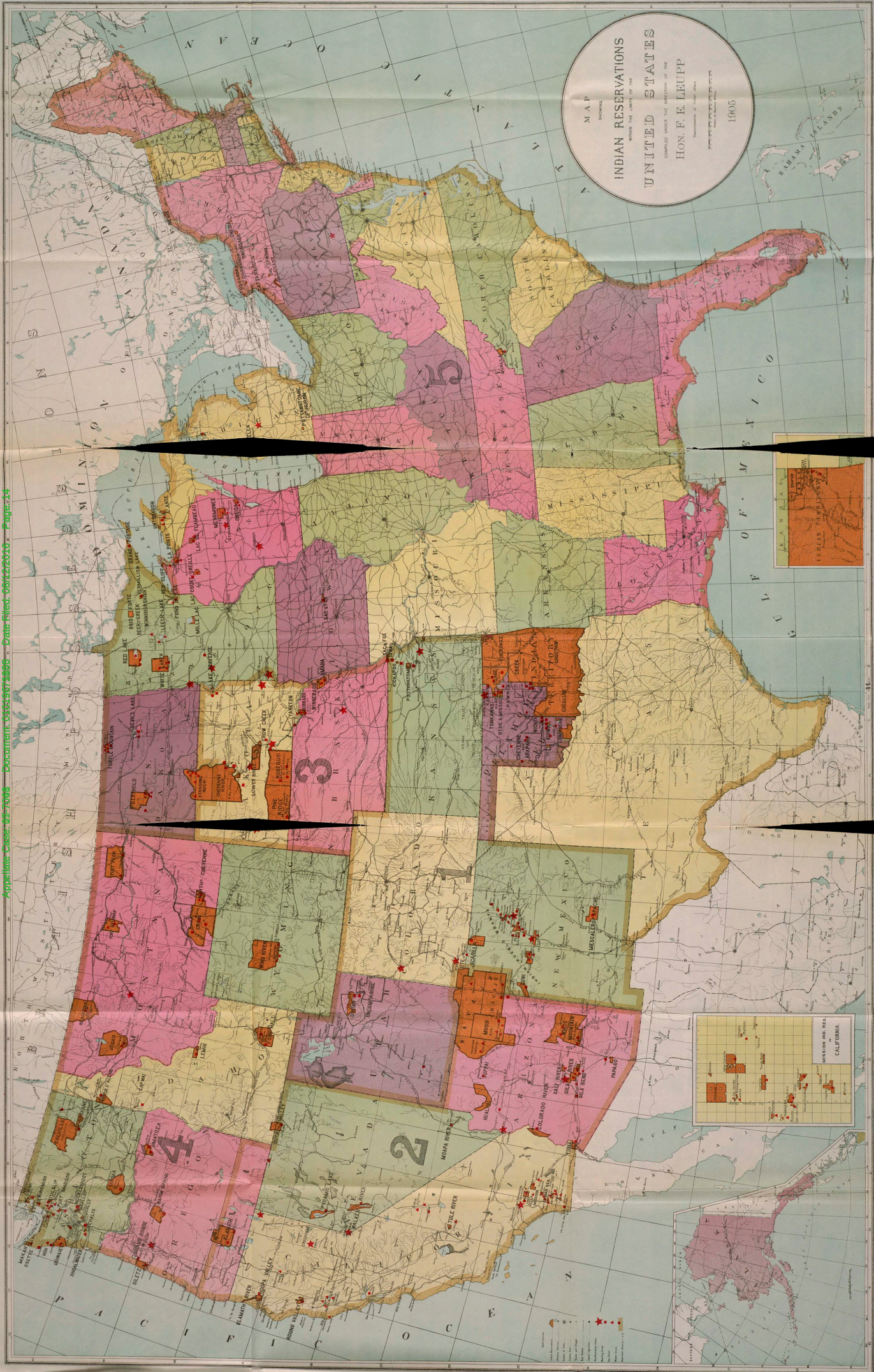


**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1905)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep05p1/reference/history.annrep05p1.i0045.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep05p1/reference/history.annrep05p1.i0045.pdf)



MAP  
 OF  
 INDIAN RESERVATIONS  
 IN THE UNITED STATES  
 COMPILED UNDER THE DIRECTION OF THE  
 HON. F. E. LEUPP  
 Commissioner of Indian Affairs  
 1905

LEGEND  
 Indian Reservations  
 Ceded Lands  
 Lands of the Government  
 Lands of the States  
 Lands of the Territories  
 Lands of the Private Owners  
 Lands of the Public Domain  
 Lands of the Indian Reservations  
 Lands of the Indian Reservations (Ceded)

INDIAN RESERVATIONS IN CALIFORNIA

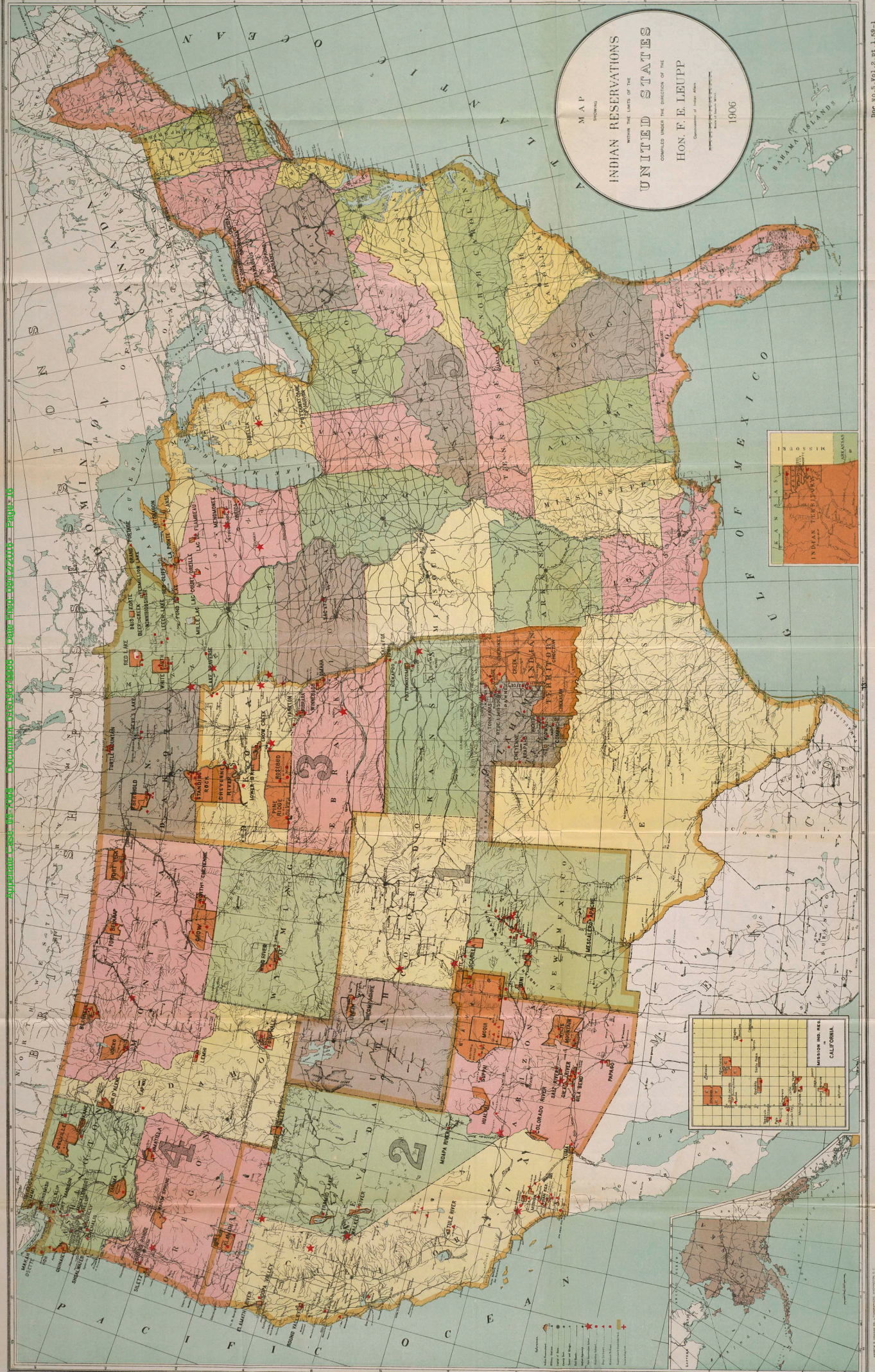
INDIAN RESERVATIONS IN CALIFORNIA

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

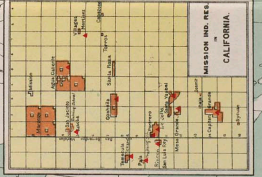
**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1906)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep06/reference/history.annrep06.i0041.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep06/reference/history.annrep06.i0041.pdf)



MAP  
 SHOWING  
**INDIAN RESERVATIONS**  
 WITHIN THE LIMITS OF THE  
**UNITED STATES**  
 COMPILED UNDER THE DIRECTION OF THE  
 HON. F. E. LEIPP  
 Commissioner of Indian Affairs  
 1900



Approved by the War Department, August 2, 1900. Digitized by Google.



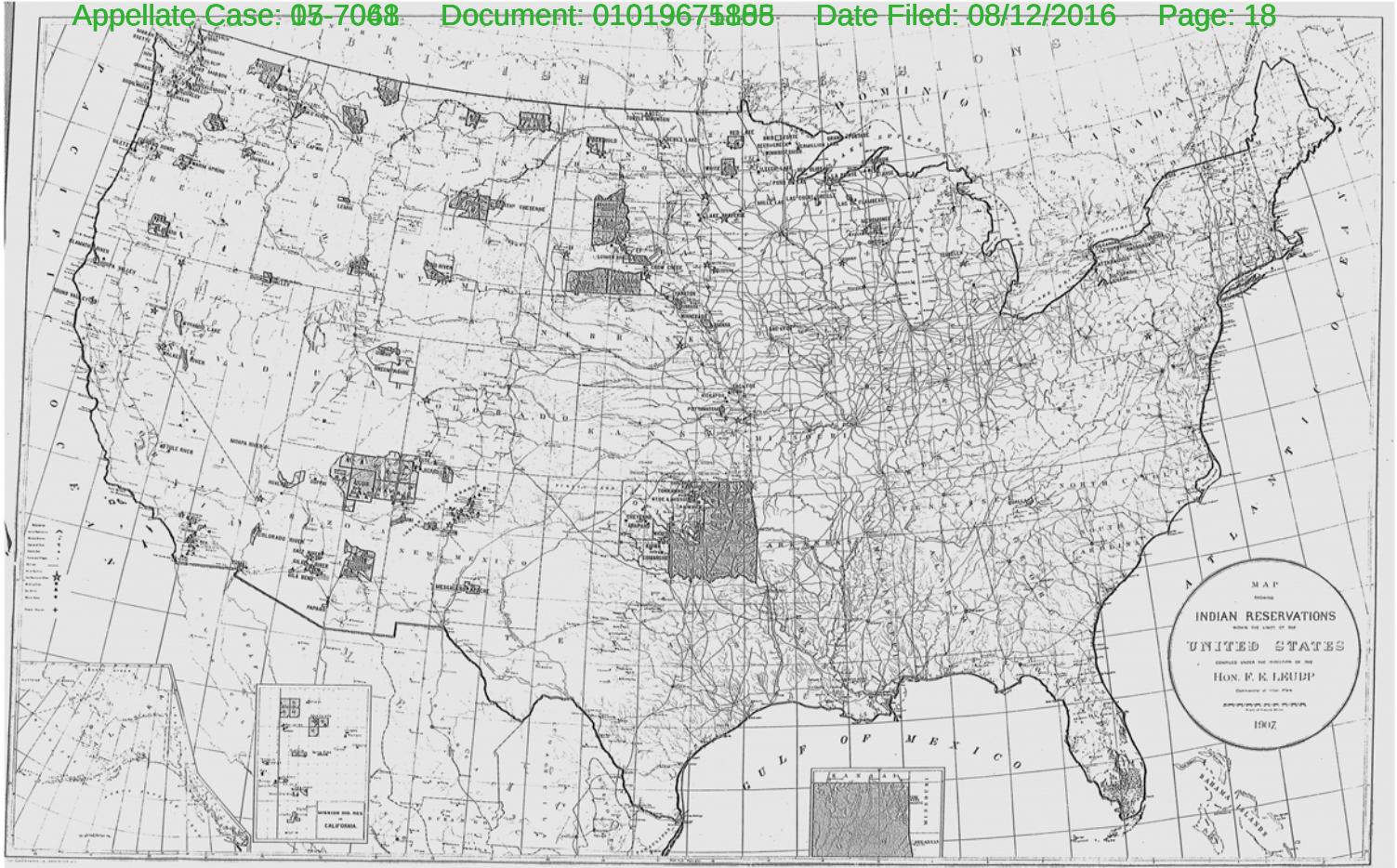
**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1907)**

*Available online at:*

<https://advance.lexis.com/api/permalink/2b8b3d31-fe7b-4206-8105-7b13daed6f4a/?context=1000516>

[High resolution, full-color version  
of this document not available]

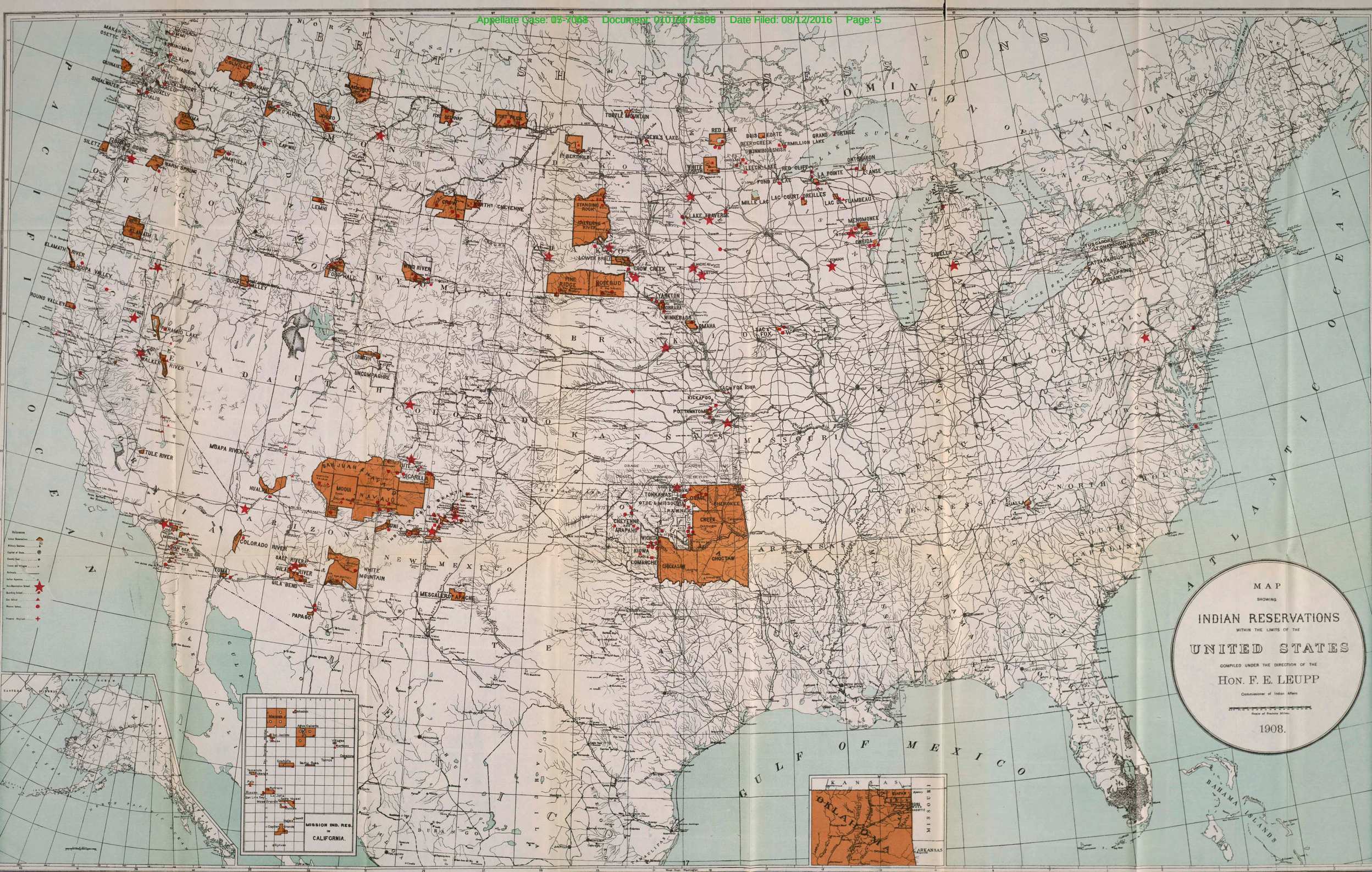


**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1908)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep08/reference/history.annrep08.i0005.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep08/reference/history.annrep08.i0005.pdf)



MAP  
SHOWING  
INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE  
UNITED STATES  
COMPILED UNDER THE DIRECTION OF THE  
HON. F. E. LEUPP  
Commissioner of Indian Affairs  
1908.

MISSION IND. RES.  
IN CALIFORNIA.

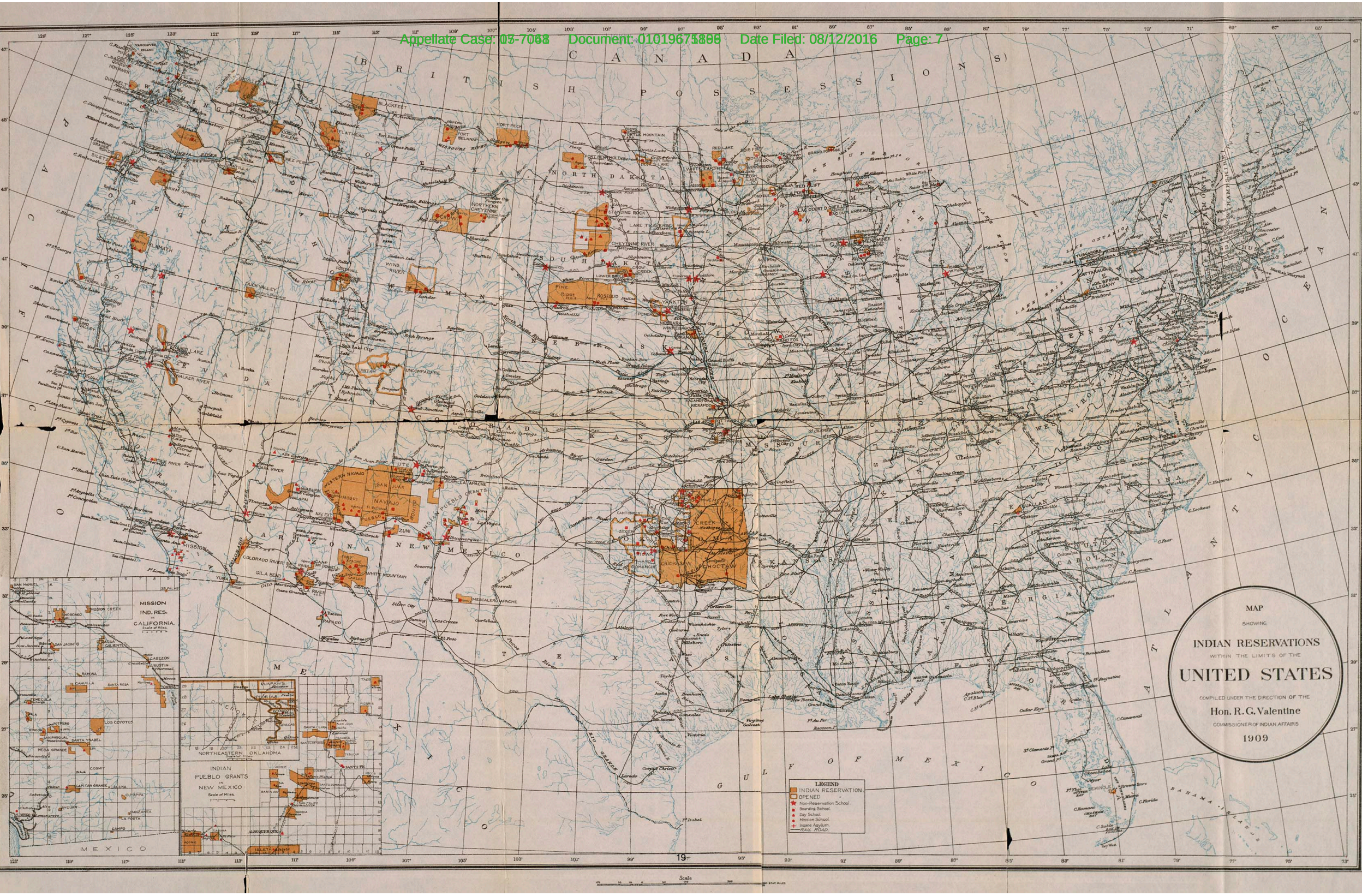
KANSAS  
OKLAHOMA  
MISSOURI  
ARKANSAS

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1909)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep08/reference/history.annrep08.i0005.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep08/reference/history.annrep08.i0005.pdf)



MAP  
SHOWING  
INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE  
**UNITED STATES**  
COMPILED UNDER THE DIRECTION OF THE  
Hon. R. C. Valentine  
COMMISSIONER OF INDIAN AFFAIRS  
1909

**LEGEND**  
 [Orange Box] INDIAN RESERVATION  
 [Orange Box with Dotted Border] OPENED  
 [Red Star] Non-Reservation School  
 [Red Square] Boarding School  
 [Red Circle] Day School  
 [Red Triangle] Mission School  
 [Red Cross] Insane Asylum  
 [Red Square with X] Quarantine Station

**INDIAN PUEBLO GRANTS  
NEW MEXICO**  
Scale of Miles  
0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250

**MISSION IND. RES.  
CALIFORNIA**  
Scale of Miles  
0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250

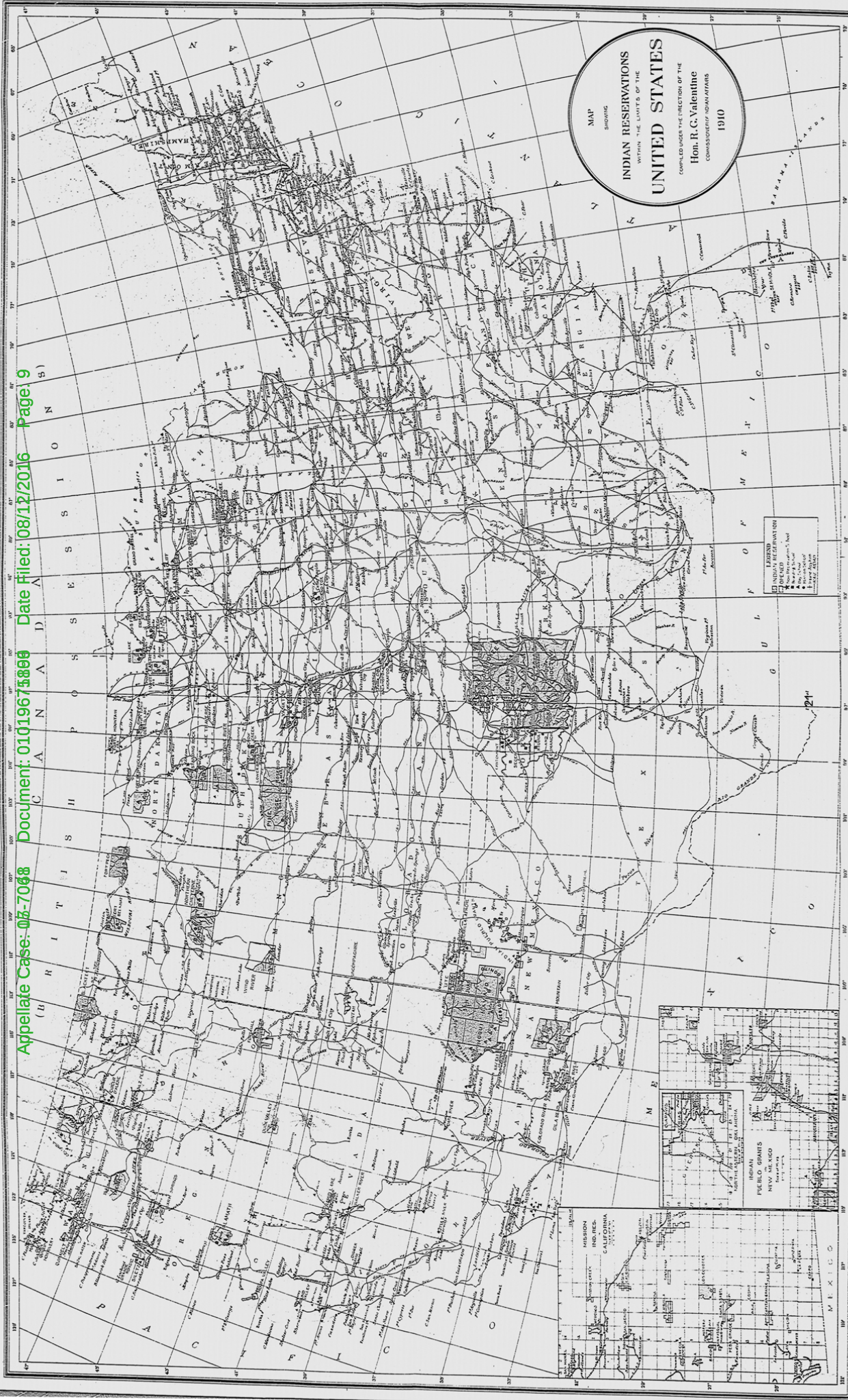
Scale  
0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

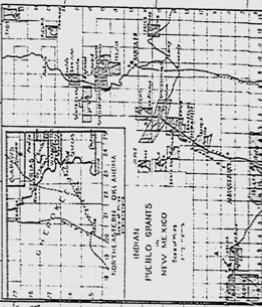
**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1910)**

[High resolution, full-color version  
of this document not available]

MAP  
SHOWING  
**INDIAN RESERVATIONS**  
WITHIN THE LIMITS OF THE  
**UNITED STATES**  
COMPILED UNDER THE DIRECTION OF THE  
Hon. R. C. Valentine  
COMMISSARY GENERAL  
1910



LEGEND  
INDIAN RESERVATION  
RESERVED  
CITY  
TOWN  
VILLAGE  
POST OFFICE  
RAILROAD  
CANAL  
RIVER  
LAKE  
MOUNTAIN  
HILL  
CLIFF  
CANYON  
VALLEY  
PLAIN  
DESERT  
SWAMP  
MARSH  
PRAIRIE  
FOREST  
WOODLAND  
PARK  
MONUMENT  
MEMORIAL  
CAMP  
FORT  
BARRACKS  
ARMY POST  
NAVY YARD  
MILITARY POST  
CUSTOMS HOUSE  
POST OFFICE  
TELEGRAPH OFFICE  
RAILROAD STATION  
CANAL LOCK  
DAM  
WATER WHEEL  
MILL  
FACTORY  
SCHOOL  
CHURCH  
COURT HOUSE  
COUNTY SEAT  
STATE CAPITAL  
FEDERAL BUILDING



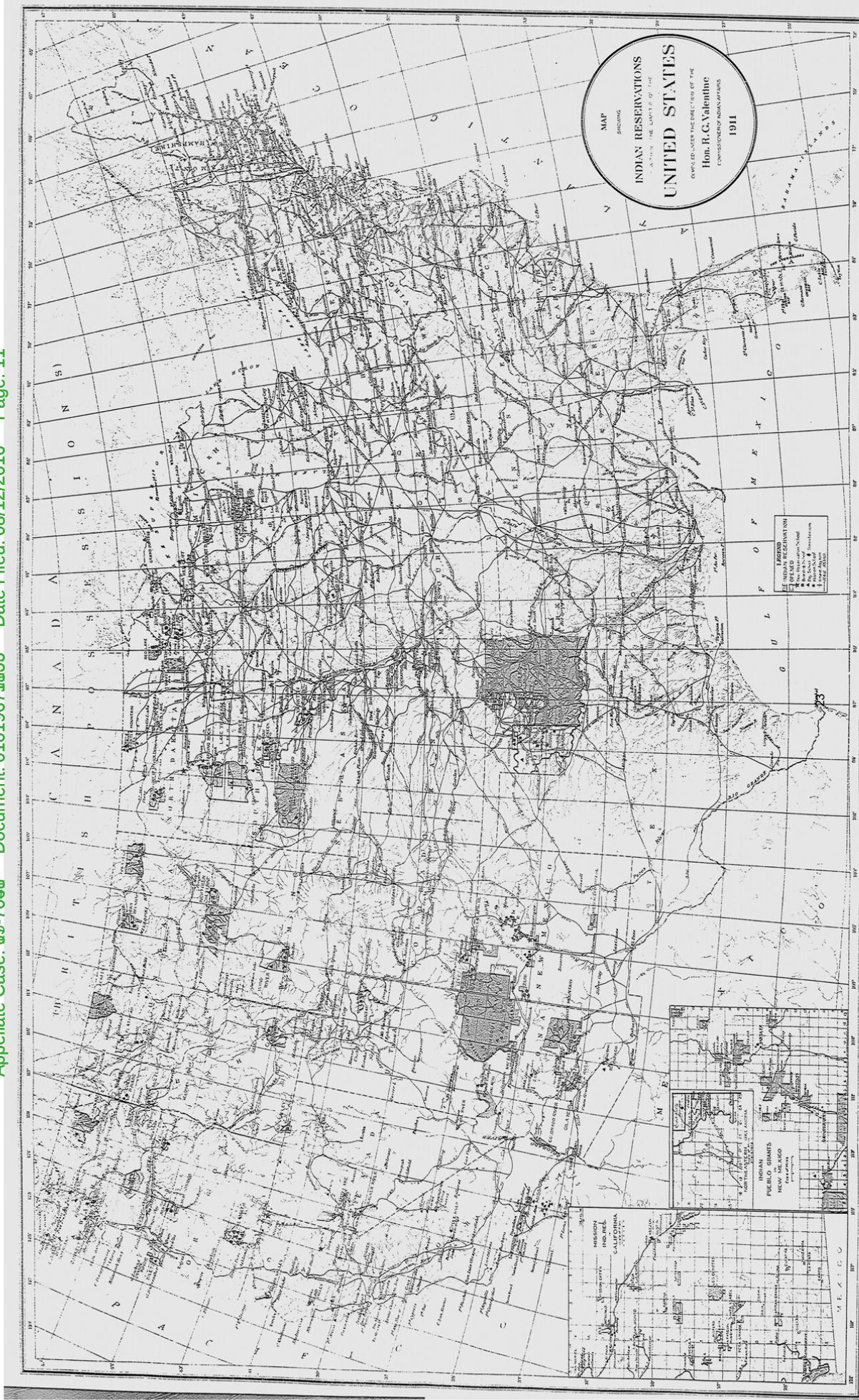
24



**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1911)**

[High resolution, full-color version  
of this document not available]

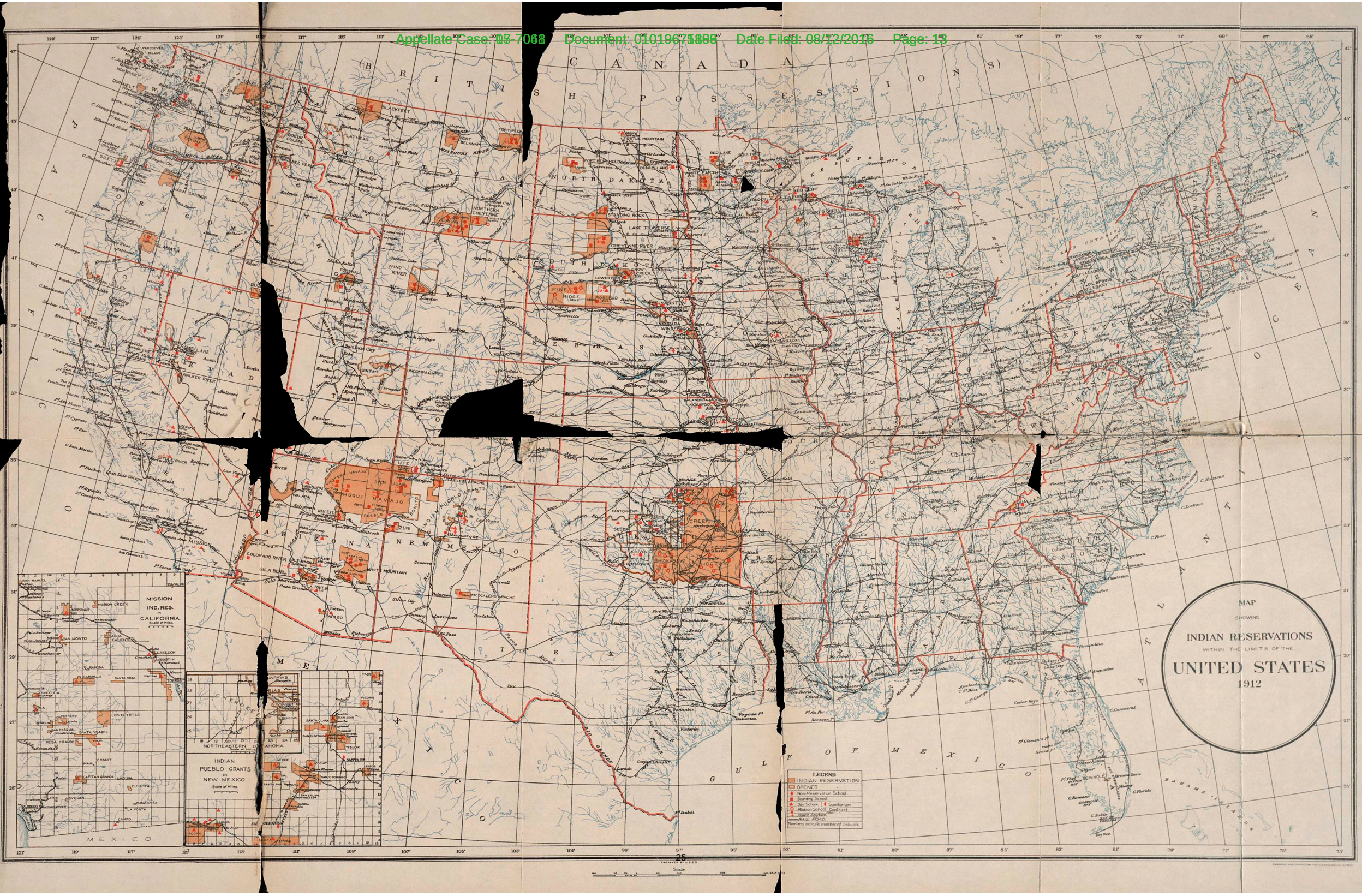


**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1912)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep12/reference/history.annrep12.i0005.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep12/reference/history.annrep12.i0005.pdf)



MAP  
SHOWING  
INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE  
UNITED STATES  
1912

LEGEND  
INDIAN RESERVATION  
OPENED  
New-Reser custom School  
Boarding School  
One School & Sanitarium  
Mission School, Contract  
Sole Proprietor  
RAIL ROAD  
Numbers indicate number of schools

INDIAN PUEBLO GRANTS  
IN  
NEW MEXICO  
Scale of Miles

MISSION  
IND. RES.  
CALIFORNIA  
Scale of Miles

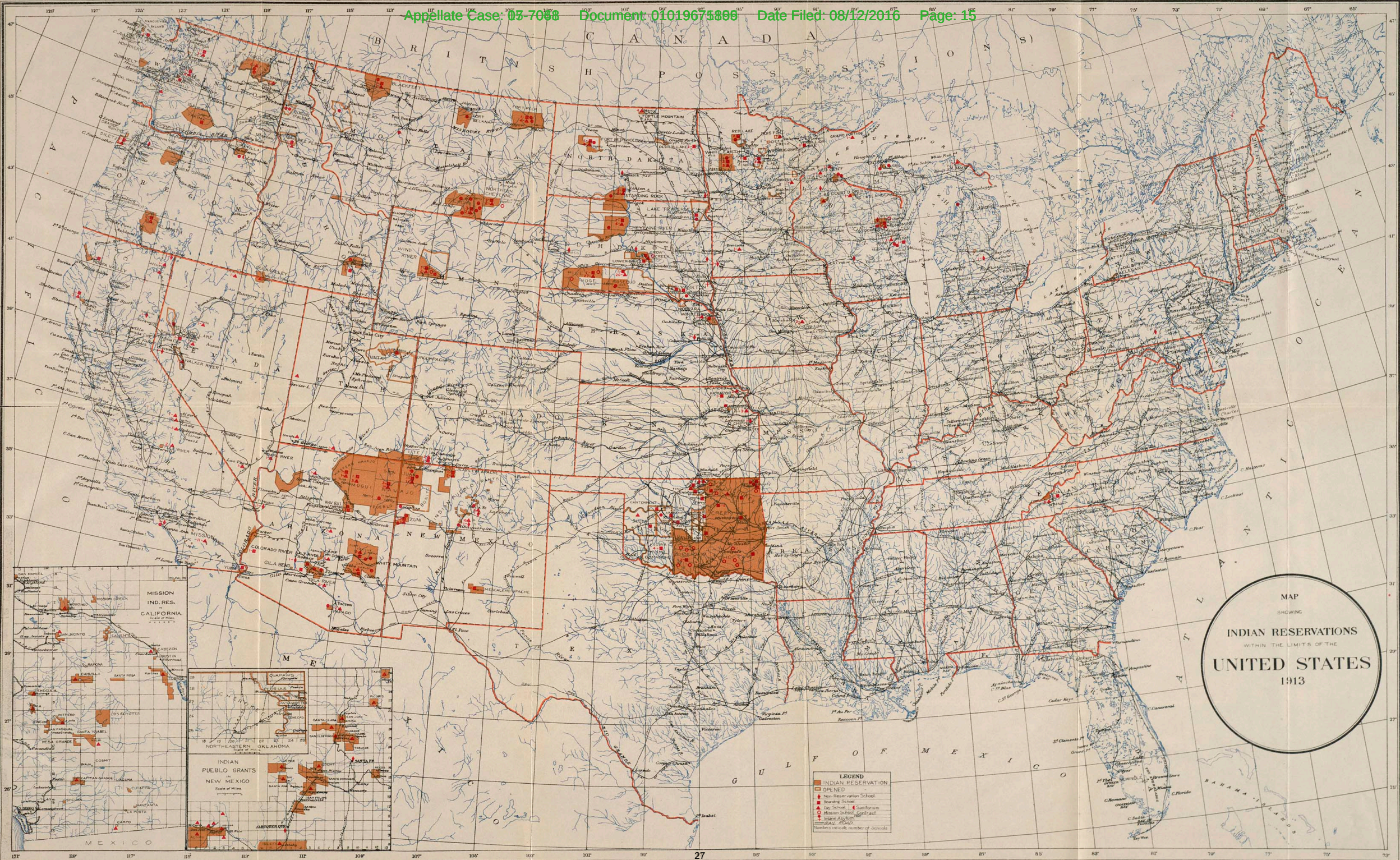
Scale  
STATUTE MILES  
Scale

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1913)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep13/reference/history.annrep13.i0005.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep13/reference/history.annrep13.i0005.pdf)



MAP  
SHOWING  
INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE  
UNITED STATES  
1913

**LEGEND**  
INDIAN RESERVATION  
OPENED  
Non-Reser. vasion School  
Boarding School  
Day School  
Mission School  
Hospital  
Indian Agency  
INDIAN RESERVATION  
Number indicates number of Subdivisions

MISSION  
IND. RES.  
CALIFORNIA

INDIAN  
PUEBLO GRANTS  
NEW MEXICO

NORTHEASTERN  
OKLAHOMA

**MAP SHOWING INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE UNITED STATES**

**ANNUAL REPORTS OF  
THE DEPARTMENT OF THE INTERIOR,  
INDIAN AFFAIRS (1914)**

*Available online at:*

[http://images.library.wisc.edu/History/EFacs/CommRep/  
AnnRep14/reference/history.annrep14.i0004.pdf](http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep14/reference/history.annrep14.i0004.pdf)

MAP  
SHOWING  
INDIAN RESERVATIONS  
WITHIN THE LIMITS OF THE  
UNITED STATES  
1914

**LEGEND**

- INDIAN RESERVATION
- OPENED
- Non-Reservation School
- Boarding School
- Day School
- Mission School Contract
- Private Schools
- WATER
- Number indicates number of schools

