

FILED

APR 30 2026

CHOCTAW SUPREME COURT
BY: *[Signature]*
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10:23 AM

IN THE SUPREME COURT OF THE
MISSISSIPPI BAND OF CHOCTAW INDIANS

MISSISSIPPI BAND OF CHOCTAW INDIANS
D/B/A GOLDEN MOON CASINO & RESORT

PETITIONER/DEFENDANT

VS.

SC 2025-03

ELIZABETH BOACKLE

RESPONDENT/PLAINTIFF

ORDER ON MOTION FOR INTERLOCUTORY APPEAL

The Petitioner, Mississippi Band of Choctaw Indians d/b/a Golden Moon Resort & Casino, seeks interlocutory review of the trial court's denial of its motion for summary judgment. The request is **denied**.

Interlocutory review is, by design, the exception, not the rule. It exists to address extraordinary circumstances where immediate appellate intervention is necessary to resolve controlling questions of law, prevent irreparable harm, or materially advance the ultimate termination of litigation. It is not a mechanism for routine second guessing of trial court case management, nor a vehicle for parties dissatisfied with the ordinary pace of litigation to secure premature appellate consideration.

The order challenged here does not present the kind of exceptional circumstance warranting departure from the final judgment rule. The trial court denied summary judgment at a stage when discovery remains incomplete. That fact alone is significant. Summary judgment is intended to test whether a genuine dispute of material fact remains after the parties have had a fair opportunity to develop the evidentiary record. Where discovery is ongoing, the record is necessarily provisional, and the trial court is afforded substantial discretion in determining whether adjudication on summary judgment is premature.

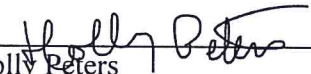
To permit interlocutory appeal under these circumstances would invite piecemeal litigation of the very sort appellate practice seeks to avoid. If every denial of summary judgment before the close of discovery were immediately appealable, trial proceedings would grind to a halt while appellate courts reviewed incomplete records and speculative claims of legal entitlement. The orderly administration of justice requires otherwise.

The Petitioner has not demonstrated that the denial rests upon a pure and controlling question of law suitable for immediate review. Nor has it shown that postponing review until final judgment would inflict irreparable prejudice. At this juncture, the trial court's order reflects only a determination that the case should proceed through the ordinary litigation process so that the relevant facts may be fully developed. That determination falls squarely within the trial court's institutional competence.

The orderly administration of justice is not served by appellate intervention in matters still unfolding below. The proper course is to allow discovery to conclude, the record to mature, and the trial court to revisit dispositive motions if appropriate on a complete evidentiary foundation.

The Petitioner's motion for interlocutory appeal is therefore **denied**, and accordingly all other issues pending before this Court in this cause are moot.


SO ORDERED AND ADJUDGED, this the 30th day of April, 2026.



Holly Peters
Chief Justice



Brenda Pipestem
Associate Justice



Christopher A. Collins
Associate Justice



CERTIFICATE OF SERVICE

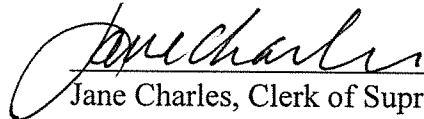
I, do hereby certify that I have this, the 30th day of April 2026 cause to be forward by electronic mail, United States mail and/or hand delivered, a true and correct copy of the above and foregoing document to the below listed counsel of record.

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