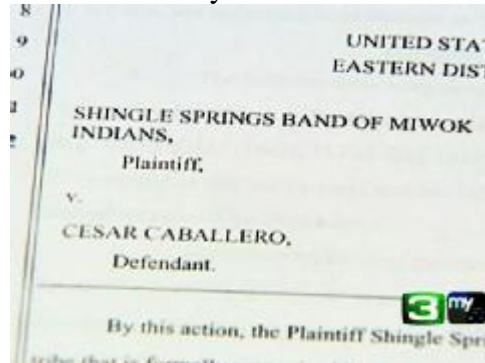


**KCRA.com**

## **Indian Leader Defends Against Tribal Suit**

### ***Tribe Operating Red Hawk Casino Files Suit***

Related To Story



- **Video:** [Indian Leader Defends Against Tribal Suit](#)

POSTED: 11:13 pm PST

December 29, 2008

UPDATED: 11:55 pm PST

December 29, 2008

**PLACERVILLE, Calif.** -- The tribe that operates the Red Hawk Casino in Shingle Springs has filed a federal lawsuit against another Indian leader in El Dorado County.

The defendant said the casino has stolen the historic Miwok identity of his tribe.

Cesar Caballero, 38, said his Miwok ancestors lived in El Dorado County for centuries. His great uncle was a tribal leader.

In August, Caballero took out a business license for the name "Shingle Springs Band of Miwok Indians."

"My Bureau of Indian Affairs identification says real clearly that my tribal affiliation is Miwok," Caballero said.

Now Caballero is being sued by the Shingle Springs Band of Miwok Indians, of the Red Hawk Casino, for trademark infringement.

The tribe behind the new luxury casino off Highway 50 said Caballero's use of the name causes irreparable harm but cites no examples. The Red Hawk group is led by chief Nicholas Fonseca who maintains only his tribal band is federally recognized, but Caballero countered that.

"The tribal name and identify is what it is, if they built themselves a casino; congratulations for them. They still are the Sacramento Verona Band of Indians," Caballero said.

Caballero said hundreds of El Dorado Miwoks area excluded from Fonseca's group, which he said are Maidu Indians who moved to Shingle Springs in the 1980s.

"For them to have stolen our identity, the healthcare, the education grants -- it's has really hampered and hurt my tribe very much," Caballero said.

For now, Caballero said he is looking for a lawyer to defend him in this lawsuit. He said he's also asking the Federal Bureau of Indian Affairs to investigate and determine who the real Miwoks of Shingle Springs.

*Copyright 2008 by KCRA.com. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.*