

FLORES v. PEACE CORPS MICRONESIA

JASMIN T. FLORES, Plaintiff-Appellee

v.

PEACE CORPS MICRONESIA, Defendant-Appellant

Civil Appeal No. 252

Appellate Division of the High Court

Truk District

March 21, 1979

Appeal from order of contempt. The Appellate Division of the High Court, Nakamura, Associate Justice, held that trial division could not restrain the United States Peace Corps from revoking the contract of one of its volunteers.

Courts—Jurisdiction—High Court

The High Court has no jurisdiction over the internal operations of the United States Peace Corps, an agency of the United States, and the trial division could not restrain the corps from revoking the employment contract of one of its volunteers.

Counsel for Appellant: MINOR POUNDS, ESQ., *Office of
the Attorney General*

Counsel for Appellee: HERBERT D. SOLL, ESQ., *Office of
the Public Defender*

Before BURNETT, *Chief Justice*, HEFNER, *Associate
Justice*, and NAKAMURA, *Associate Justice*

NAKAMURA, *Associate Justice*

This is an appeal from an Order of Contempt issued by the Trial Division of the High Court on March 17, 1978, in *Jasmin T. Flores v. Peace Corps Micronesia*, Civil Action No. 10-78, Truk District.

The facts of this case are straightforward. Jasmin Flores, plaintiff/appellee, was a Peace Corps Volunteer assigned to the Truk Hospital, Truk District, as a medical assistant. It appears that some difficulties arose between appellee and Dr. Kiosi Aniol, an employee of the said hospital, which resulted in efforts by Dr. Aniol to remove appellee from her position. On February 2, 1978, appellee filed an affidavit with the Clerk of Courts, Truk District, and based on the said affidavit, a Temporary Restraining Order was issued by the Trial Court. The Order, in part, restrains the appellant from revoking the contract of the appellee with the Peace Corps. Shortly after the issuance of the Order, the appellant terminated the appellee.

On March 2, 1978, the Trial Court issued an Order as to why the appellant should not be held in contempt. A hearing was held on March 3, 1978, which resulted in an Order of Contempt issued on March 17, 1978.

The primary issue in this appeal is whether the High Court of the Trust Territory of the Pacific Islands has any jurisdiction over the internal operations of the Peace Corps, an agency of the United States.

Based on the facts of this case, and the holdings in *Schulz v. United States Peace Corps, et al.*, 4 T.T.R. 428 (Tr. Div.

ARON v. TRUST TERRITORY

1969), it is concluded that the answer to the question is in the negative.

IT IS THEREFORE ORDERED that the Temporary Restraining Order and the Order of Contempt issued by the Court below are hereby VACATED.