

We decline to review the trial court's findings and conclusions beyond its interpretations of the finality provision of Title II of the Micronesian Claims Act. We further decline to address the subject of constitutional principles governing the scope of review of the activities of the Commission. We hold only that the courts of the Trust Territory are not precluded by the finality provision of the Micronesian Claims Act from making determinations as to the rightful recipients of the Commission's awards.

Accordingly, the trial court's conclusion regarding the finality provision is reversed, and the case is remanded with the instruction that the proceeds of Decision No. 8967 be distributed in accordance with law and consistent with this opinion.

REVERSED AND REMANDED.

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JAMES E. SINDING, Petitioner

v.

ERNEST F. GIANOTTI, Associate Justice

and

JANET E. CRUM, Court Reporter, of the High Court of the  
Trust Territory, in and for Truk District, Respondents

Civil Appeal No. 286

Appellate Division of the High Court

January 29, 1979

Before BURNETT, *Chief Justice*, HEFNER, *Associate Justice*, and LAURETA, *Designated Justice*

PER CURIAM

On consideration of the petition herein, IT IS ORDERED that the same be, and it hereby is, granted.

IT IS FURTHER ORDERED that Respondent Janet A. Crum transcribe and produce within ten (10) days the transcript of conference between Petitioner and Respondent Associate Justice Gianotti on January 10, 1979.

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**JOSE NGESKEBEI, Appellant**

v.

**GOVERNMENT OF THE NORTHERN MARIANA ISLANDS, Appellee**

**Criminal Appeal No. 76**

**Appellate Division of the High Court**

**Mariana Islands District**

**January 29, 1979**

Appeal from assault conviction. The Appellate Division of the High Court, Laureta, Temporary Justice, held that where complaining witness in prosecution for assault by throwing a rock stated that she was in a group of about 25 persons when defendant threw a rock into the group from 20-25 feet away, hitting a person six feet from complainant, it could be found defendant had the intent to commit an assault upon complainant.

**1. Appeal and Error—Evidence—Admission of Evidence**

Trial court has broad powers of discretion concerning admissibility of evidence on relevancy grounds and admission or rejection may be overturned on appeal only if there has been a clear abuse of discretion.

**2. Criminal Law—Evidence—Acts and Statements Collateral to Offense**

Evidence of conduct collateral to offense with which an accused is charged, criminal or otherwise, may be inadmissible if it fails to be probative of the charged offense.

**3. Evidence—Relevancy**

Relevancy of evidence is to be determined by whether the evidence gives rise to reasonable inferences regarding contested issues or throws any light upon them.

**4. Assault—Evidence—Admissible Evidence**

In prosecution for assault by throwing of a rock, statements of complaining witness that rock was thrown 20-25 feet into area containing about 25 people, including complainant and her child, that the rock hit a woman