



THE SUPREME COURT OF THE LUMBEE TRIBE OF NORTH CAROLINA

Chief Justice Joshua D. Malcolm
Justice Mary Beth Locklear

Justice Everette Moore
Justice Theresa Locklear

Annie C. Taylor

Case No.: 2019-002

PETITIONER,

V.

ORDER

Lumbee Tribe NC Election Boards,

RESPONDENT.

IN THIS MATTER, the Petition was filed on October 25, 2019 alleging violation(s) of the "Election Ordinance" that mandates processes to be followed during tribal elections. The Court has determined that it is vested with inherent authority per Article IX of the Constitution of the Lumbee Tribe of North Carolina to schedule any hearing and/or issue any orders as necessary to ensure constitutional operation of the Election Board and the associated processes.

THEREFORE, after considerable consultation and deliberation, and after considering the exigent circumstances involved and evidence submitted to the Court. The Court finds the Petitioner and similarly situated tribal members may suffer irreparable harm, if the allegations in part contained in the petition are true. In addition, this Court takes notice that the Ordinance No. CLL0-2005-0002 cited in this petition has been amended on March 21, 2019, to state in Section (3)(6) that publication of poll sites, election dates and hours and other information deemed necessary at least forty-five (45) days before the election, not fifteen (15) as stated in the petition.


Accordingly, this Court, hereby denies Petitioner's request to remove Wagram N.C. from District 12 voting site locations. The Court has determined that it would be unfair and confusing to the tribal members to remove Wagram, N.C. as a voting site. Publications have been made and voters have already been notified by the LTNC Election Board that Wagram, N.C. has been designated as a voting site. If Wagram is removed as a voting site, members of the Lumbee Tribe that have previously been notified will have to be re-notified of the change.

The Court **Orders** the Lumbee Tribe of North Carolina's Election Board to use its best efforts in reinstating Queheel Volunteer Fire Department as a voting site in District 12 for the November 12, 2019 Election. The Court orders that the Lumbee Tribal Council shall be responsible for all reasonable costs and fees necessary to reinstate the Queheel Volunteer Fire Department location as a voting cite for the November 12, 2019 Election.

The Court conferenced on this matter for the purpose of issuing this ORDER

Per the unanimous decision and on behalf of the Court in conference

Signed this 6th day of November 2019.



Joshua D. Malcolm, Chief Justice