



**THE SUPREME COURT OF THE LUMBEE TRIBE OF NORTH CAROLINA**

*Justice Mark Brooks*  
*Justice Everette Moore*

*Justice Mary Beth Locklear*

---

Kindra Locklear, )  
 )  
 **PETITIONER,** )  
 )  
 v. )  
 )  
 Lumbee Tribe Board of Elections, and )  
 Jody Bullard )  
 )  
 **RESPONDENT(s),** )  
 )

Case No.: 2021-003

**FINAL DECISION**

---

**THIS MATTER** being heard by the Lumbee Tribe Supreme Court, Chief Justice Mark Brooks having recused himself, now makes the following decision:

The Petitioner, Kindra Locklear, has alleged that irregularities existed in her race for District 4 Tribal Council. The Petitioner stated those irregularities were serious enough that warranted another election. Specifically, the Petitioner relies on Tribal Ordinance 2005-0002, Section 6 (5)(a-b) which states the following:

“An election result may be challenged on the basis of an allegation of irregularities other than fraud only if such challenge alleges material and substantial irregularities and of such a nature that:

- a. The outcome of the election would have been contrary to the reported result;  
or
- b. Proves it is impossible to determine with mathematical certainty which candidate is entitled to be certified as elected, or in an election concerning a referendum, that the outcome of the election is impossible to determine with mathematical certainty.”

The Court believes that irregularities do exist which cause serious concern. These concerns would not be brought to light if not for the Petitioner exposing them. Those concerns (but not entirely limited to) include inconsistent distribution and display of official District Maps and inaccurate Poll Books. Tribal Members should be able to depend on accurate and official tribal maps and poll books of their District – which appears to be a concern in this case by the Petitioner and not disputed by the Respondent.

The only question for the Court to decide is whether these irregularities are material and substantial and can be conclusively determined to have affected the outcome of the election.

Although the Petitioner's concerns appear to be made in good faith and ought to be considered and even addressed by the appropriate parties of the Tribal Government, we nevertheless feel there was an insufficient showing to prove to this Court those concerns decided the outcome of her race.

We therefore believe the Petitioner in this case has failed to provide enough evidence to meet that burden. **IT IS THEREFORE DISMISSED.**

Signed this the 30<sup>th</sup> day of December, 2021.

Justice Mary Beth Locklear

Justice Everette Moore