



THE SUPREME COURT OF THE LUMBEE TRIBE OF NORTH CAROLINA

Chief Justice Ronette Sutton
Justice Eric Freeman

Justice Tona Jacobs
Justice Emily Deese
Justice Edward Brooks

Tribal Member, Larmari Louise Mitchell,)
of the federally recognized Lumbee Tribe)
of North Carolina on behalf of Tribal)
Members,)
Petitioner,)

v.)

Tribal Chairman, John Lowery,)
Speaker, Alex Baker on behalf of the)
Tribal Counsel, all who signed the NDA,)
CEO/President, Channing Jones, of the)
Lumbee Tribe Holdings, Inc. of the federally,)
Recognized Lumbee Tribe of North)
Carolina,)
Respondent.)

Case No.: 2026-002

OPINION AND ORDER

Chief Justice Ronette Sutton delivered the opinion of the Court.

ORDER ON RESPONDENTS' MOTION TO DISMISS AND SETTING MATTER FOR HEARING

THIS MATTER came before the Supreme Court of the Lumbee Tribe of North Carolina upon Respondents' Motion to Dismiss. Petitioner filed a Petition alleging violations of tribal law arising from the process surrounding the acquisition of real property and requesting relief including removal of Respondents from office, release of individuals who signed non-disclosure agreements, and production of records and expenditure information concerning the transaction.

The Court has reviewed the Petition, the Motion to Dismiss, and the matters presented to the Court. Based upon that review, the Court finds that Petitioner's first claim should be dismissed without prejudice, Petitioner's second claim should be dismissed as moot, and the remaining issues should be set for hearing.

Findings

The Court makes the following findings for purposes of this Order:

1. Petitioner's first claim requests the removal of Respondents from office.
2. Petitioner's second claim requests the release of those individuals who signed non-disclosure agreements related to the property transaction at issue.
3. Petitioner also seeks additional relief concerning records, expenditures, and the legality of the process surrounding the property acquisition, and those issues remain pending.
4. Article IV of the Constitution of the Lumbee Tribe of North Carolina reserves the power to recall elected officials to the general membership through the constitutional recall process.
5. Respondents assert that the requested relief concerning release from the non-disclosure agreements has already occurred, and the Court therefore treats Petitioner's second claim as moot for purposes of this Order.
6. The Court does not reach the merits of Petitioner's remaining allegations in this Order.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. Respondents' Motion to Dismiss is **GRANTED IN PART**.
2. Petitioner's first claim, seeking removal of Respondents from office, is **DISMISSED WITHOUT PREJUDICE**.
3. Petitioner's second claim, seeking release of those who signed non-disclosure agreements, is **DISMISSED AS MOOT**.
4. Petitioner's remaining claims and issues are not dismissed by this Order and shall be **SET FOR HEARING** before this Court.
5. The Clerk is directed to calendar this matter for hearing and to provide notice of the hearing date, time, and location to all parties, or to issue such further scheduling notice as the Court deems appropriate.
6. This Order resolves only the first and second claims identified above and does not adjudicate the merits of the remaining allegations concerning the property-acquisition process, requested disclosures, expenditures, or any other unresolved issue raised in the Petition.

SO ORDERED, this 26th day of August 2026, in Robeson County, North Carolina.

Chief Justice,



Supreme Court of the Lumbee Tribe of North Carolina