



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

Joann C. Lowery,)
Petitioner,)
)
v.)
)
Chairman John L. Lowery,)
Lumbee Tribe of North Carolina,)
A. Alex Baker, Speaker of the Lumbee Tribal)
Council, Lumbee Tribe Election Board,)
Respondent.)

Case No.: 2026-004

OPINION AND ORDER

Chief Justice Ronette Sutton delivered the opinion of the Court.

ORDER ON RESPONDENT LUMBEE TRIBE ELECTION BOARD'S MOTION TO DISMISS

THIS MATTER came before the Supreme Court of the Lumbee Tribe of North Carolina upon the Motion to Dismiss filed by Respondents. Petitioner filed her Petition on June 12, 2026, challenging the process surrounding a special election scheduled for June 23, 2026, and seeking emergency and permanent injunctive relief to stop that election and to enjoin the ordinance and related matters associated with it.

The Court has reviewed the Petition, the Motion to Dismiss, and the matters presented. Based upon that review, the Court finds that the relief requested in the Petition is no longer capable of being granted because the election challenged by Petitioner has already occurred and has been certified.

Findings

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

1. Petitioner alleged that Respondents violated provisions of the Lumbee Constitution and tribal ordinances in connection with the special election scheduled for June 23, 2026.
2. Petitioner specifically requested emergency and permanent injunctive relief to prevent that election from being held and to enjoin the ordinance and related matters arising from it.

3. Respondent Lumbee Tribe Election Board moved to dismiss the Petition on the ground that Petitioner's claims are moot because the election has already occurred and has been certified.
4. The central relief requested by Petitioner was directed at stopping or preventing the June 23, 2026 election before it took place.
5. Because the challenged election has already occurred and has been certified, the Court can no longer grant the injunctive relief requested in the Petition in the form presented.

Conclusions

The Court concludes that the Petition no longer presents a live controversy as to the relief requested. Where the event sought to be enjoined has already occurred, and the election has been certified, a request to stop that election is moot.

Accordingly, dismissal is proper because the Court cannot grant effective relief on the Petition as pleaded.

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

1. Respondents' Motion to Dismiss is **GRANTED**.
2. The Petition filed in this action is **DISMISSED AS MOOT**.
3. This Order does not reach or decide the substantive merits of Petitioner's allegations concerning the constitutionality or legality of the actions challenged in the Petition but instead is based solely upon mootness of the relief requested.

The Petition is therefore DISMISSED without a hearing, per the Court's unanimous decision in Conference.

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

Chief Justice,



Supreme Court of the Lumbee Tribe of North Carolina