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

*Chief Justice Joshua D. Malcolm*  
*Justice Matthew C. Scott*

*Justice Everette Moore*  
*Justice Mary Beth Locklear*

Kindra Locklear, in her capacity as  
a Tribal Council Candidate, District 4 of the  
Lumbee Tribe of North Carolina,

Case No.: 2018-009

**PETITIONER,**

v.

**ORDER**

Lumbee Tribal Board of Elections,

**RESPONDENT.**

**IN THIS MATTER**, the Petition was filed on November 16, 2018 alleging violation(s) of the “Election Ordinance<sup>1</sup>” that mandates processes to be followed during tribal elections. The Court has taken notice that the Lumbee Tribe of North Carolina conducted an election on November 13, 2018. The Court has determined that it is vested with inherit 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.

The Petitioner alleges numerous violations of provisions of the Election Ordinance, including assertions regarding the mishandling of provisional ballots, inability for eligible voters to cast ballots et al.

The Court noted that the Petition did not assert that “canvassing of [the] election results” had taken place as set forth in Section 6 of the Election Ordinance. The Court noted that the Petition did not assert that the “election certification” had taken place as set forth in Section 7 of the Election Ordinance.

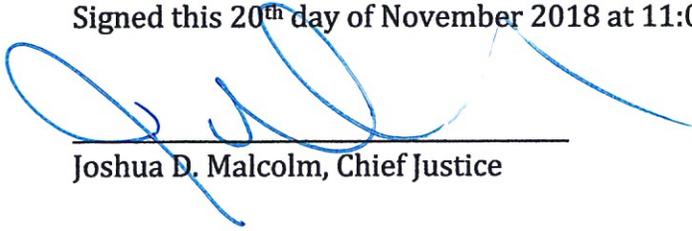
<sup>1</sup> Ordinance No. 2005-0002 (Date: May 4, 2005; last Amended July, 20, 2017)

**Accordingly**, this Court hereby **DISMISSES** the Petition for failure to exhaust the administrative remedies provided by the Election Ordinance.

The Court conferenced on this matter on numerous occasions since this matter was filed, for the purpose of issuing this ORDER.

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

Signed this 20<sup>th</sup> day of November 2018 at 11:00 AM.



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Joshua D. Malcolm, Chief Justice