



09-08-16P05:14 RCVD *BB*

The Supreme Court of the Lumbee Tribe of North Carolina

Chief Justice Von Locklear
Justice Tina Dicke
Justice Wendell Lowery

Justice Francine Chavis
Justice Matthew Scott

September 8, 2016

Larmari Louise Mitchell, OBO
Lumbee Community Involvement & Engagement Group, Petitioner

Vs.

Bill James Brewington, Speaker – OBO
Tribal Council of LTNC, Respondent

NOTICE OF HEARING

Please take notice that a hearing has been scheduled for Petition Number: 2016-005 below:

Day: Tuesday **Date:** September 13, 2016 **Time:** 6:00 p.m.

Room: Conference Room, Housing Complex **Location:** **LTNC Tribal Building**
6984 NC 711 Hwy
Pembroke, NC 28372
(910) 521-7861

It is important you attend this meeting. The Court has set aside this time for you to tell us about your case. You must **promptly appear** for this hearing at the time and date. If you do not attend the hearing and we do not find you have good reason, we may **dismiss** your request or proceed with a decision based upon evidence and /or information in the record. We may do so without giving you further notice.

If You Cannot Attend Your Scheduled Hearing:

If you are unable to attend this hearing at the time and place we have set, please call Ms. Belinda Brewer, Tribal Liaison at 910-740-7566 **immediately** with an explanation for good reason.

Representation before the Court

Petitioners have the right to represent themselves before the Court. They may also have a spokesperson present their case.

Courtroom Decorum

All persons who appear before the Court and attend the session of Court shall abide by the following basic rules of decorum established by the Court and any general rules posted.

Customary rules of decorum are observed when attending or visiting sessions of the Lumbee Tribe Supreme Court.

- 1) Timely arrival. The Supreme Court convenes promptly at its announced starting times. All Petitioners, Respondents and others having business before the Court shall be seated in the Courtroom before the scheduled time for the Court to convene.
- 2) Tribal Representative announcement. Upon arrival of the presiding Justices to the courtroom, the Tribal Representative shall announce their presence. At such time, all persons present shall rise to a standing position and remain standing until all members of the Court are seated.
- 3) Recess and Adjournment. When the Chief Justice announces a recess or adjournment, the Tribal Representative shall direct all persons to their feet; and they shall continue to stand until all members of the Court have retired from the courtroom. During the recessional, the audience shall refrain from movement or conversation.
- 4) Courtesy to speaker. Upon Petitioners, Respondents or their witnesses addressing the Court, and when members of the Court are speaking, all other persons in the Courtroom shall remain silent. Persons wishing to retire from the Courtroom shall wait until an oral argument has been completed.

Procedure before the Court

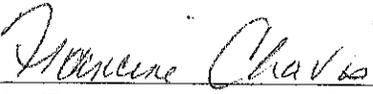
The Chief Judge of The Supreme Court or his/her appointee shall be the presiding official. All proceedings before the Court shall be audiotaped. The hearing shall be open to the public unless the Court determines an open hearing would not serve the ends of justice and fairness. The spokesperson that wishes to address the Court shall stand and obtain permission to address the Court. The Court shall determine the nature or its relevancy and extent of evidence it will consider on a case by case basis. The Petitioner and Respondent shall be allowed to present arguments to the Court with the Petitioner going first. Once the Petitioner has argued its evidence, the Respondent may present its argument. To the extent possible, each side may ask questions of the other side, subject to the discretion of the court. Judges of the Court may ask questions of any witness. If there are any witnesses, a list shall be given to the Tribal Representative to be forwarded to the Court immediately. In the event documents or exhibits are presented to the Court, the parties offering the exhibits or documents shall have the responsibilities of explaining the relevancy of the documents or exhibits and shall furnish copies of such documents or exhibits to the opposing side and to the Court immediately. Each side shall be allowed to give a closing argument to the Court with the Petitioner having the last argument.

The Court's Deliberation and Decision

The Court shall meet to deliberate a case, either at the time the case is heard or at some other time to be agreed upon by the members of the Court.

- A. The Court's decision shall be by majority vote. Judges who did not participate during the presentation of the case shall exclude themselves from the decision process.
- B. The Court shall publish its decision as soon as practical after it is decided. A copy of the decision shall be mailed, 1st class mail, to the Petitioner and to the Respondent. Copies shall be made available to any interested persons through the Tribal Office at cost.
- C. The Chief Judge of the Supreme Court shall designate a member of the Court who voted with the majority to write the Majority's opinion. Any members of the Court, whether voting with the majority opinion or against the majority opinion, shall have the right, should they so desire, to write a separate opinion. Those who voted with the majority may write a separate concurring opinion. Those voting against the majority may file a dissenting opinion.

On behalf of the Supreme Court of The Lumbee Tribe of North Carolina



Justice Francine Chavis