

FILED

IN THE SUPREME COURT OF THE CHEROKEE NATION

2021 AUG -3 AM 9: 23

IN RE: Request for Recount of District 2)
Run-off Election Held On July 24, 2021)
By Bobby Slover.)
)

CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK


CASE NO.: RECOUNT-2021-01

ORDER


The Supreme Court in attendance at the Recount of the District 2 Run-off Election held on July 24, 2021 pursuant to 26 C.N.C.A § 93(G) enters the following findings and orders:

1. The recount request was filed by Bobby Slover, Candidate for District 2, on July 24, 2021.
2. Pursuant to 26 C.N.C.A § 93(C), "The person filing the [recount] request shall serve a copy of the request on other Candidates for the race in which the person was a Candidate. When possible, service shall be made by personal delivery or facsimile transmission on date of filing; but if such service is not possible, service shall be made by mail on the date of filing."
3. David Walkingstick, representing Candidate Slover, admitted Candidate Slover did not personally provide notice to Candidate Teehee as required by statute.
4. Mr. Walkingstick alleges Candidate Teehee received notice via e-mail from Candidate Slover through his attorney via e-mail, although proof of the same was not provided to the Court.
5. Mr. Walkingstick did not provide the the e-mail address used for Candidate Teehee by Candidate Slover's counsel and or the date the alleged e-mail was sent.
6. Kalyn Free, representing Candidate Teehee, stated an e-mail from Candidate Slover's counsel regarding the recount has not been received by her client.
7. A third-party's delivery of notice to the other candidate regarding a recount is not in conformance with 26 C.N.C.A § 93(C).
8. Furthermore, notice via e-mail is also not in conformance with 26 C.N.C.A § 93(C).
9. A recount cannot proceed without proper notice in conformance with 26 C.N.C.A § 93(C).
10. The District 2 Recount scheduled for today's date is dismissed.

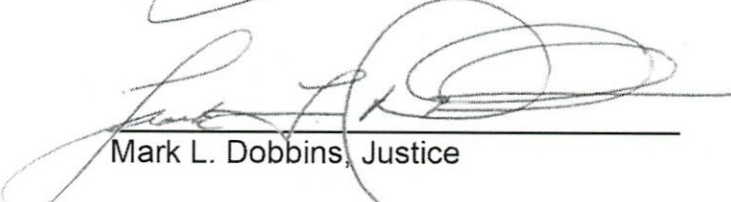
ENTERED this 2nd day of August, 2021.



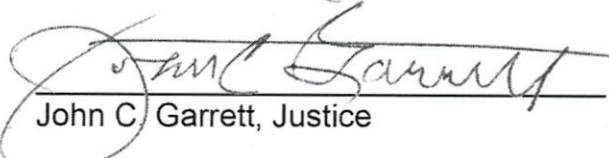
Lee W. Paden, Chief Justice



Shawna S. Baker, Justice



Mark L. Dobbins, Justice



John C. Garrett, Justice



Rex Earl Starr, Justice

FILED

IN THE SUPREME COURT OF THE CHEROKEE NATION

2021 AUG -3 AM 9: 24

IN RE: Request for Recount of District 7)
Run-off Election Held On July 24, 2021)
By David Commingdeer.)
)

CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK

CASE NO.: RECOUNT-2021-02

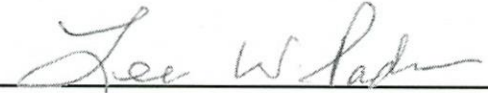
ORDER

The Supreme Court in attendance at the Recount of the District 7 Run-off Election held on July 24, 2021 pursuant to 26 C.N.C.A § 93(G) enters the following findings and orders:


1. The recount request was filed by David Commingdeer, Candidate for District 7, on July 24, 2021.
2. Pursuant to 26 C.N.C.A § 93(C), "The person filing the [recount] request shall serve a copy of the request on other Candidates for the race in which the person was a Candidate. When possible, service shall be made by personal delivery or facsimile transmission on date of filing; but if such service is not possible, service shall be made by mail on the date of filing."
3. William "Billy" Flint, IV, representing Candidate Commingdeer, admitted Candidate Commingdeer did not personally provide notice to Candidate Sam as required by statute.
4. Mr. Flint alleges Candidate Sam received notice via e-mail from Candidate Commingdeer through his attorney via e-mail, although proof of the same was not provided to the Court.
5. Mr. Flint did not provide the the e-mail address used for Candidate Sam by Candidate Commingdeer's counsel and or the date the alleged e-mail was sent.
6. Kalyn Free, representing Candidate Sam, stated an e-mail from Candidate Commingdeer's counsel regarding the recount has not been received by her client.
7. A third-party's delivery of notice to the other candidate regarding a recount is not in conformance with 26 C.N.C.A § 93(C).
8. Furthermore, notice via e-mail is also not in conformance with 26 C.N.C.A § 93(C).
9. A recount cannot proceed without proper notice in conformance with 26 C.N.C.A § 93(C).

10. The District 7 Recount scheduled for today's date is dismissed.

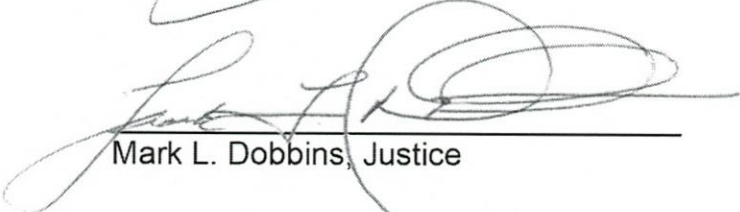
ENTERED this 2nd day of August, 2021.



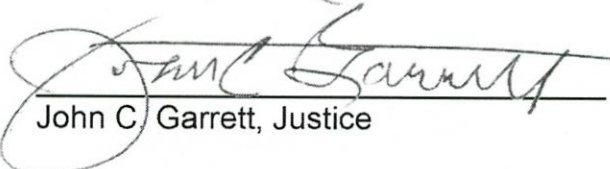
Lee W. Baden, Chief Justice



Shawna S. Baker, Justice



Mark L. Dobbins, Justice



John C. Garrett, Justice



Rex Earl Starr, Justice