

Governor's recent notice). We share their assessment, and hold as follows regarding the proper handling of those registration forms.

Upon the swearing-in of new Election Commissioners Blackbear, Herndon, Warledo, and Sankey in accordance with our holding above, we order that (1) the registration letters now in the Governor's possession be opened in the presence of Governor Flyingman (or his properly designated agent), the new Election Commissioners, and Speaker of the Legislature Ida Hoffman (or her properly designated agent); (2) one copy of each be made and forwarded to the Office of Administration for storage; and (3) the Election Commission take possession of the originals for *prompt* processing according to law.

V.

We have noted above that we do *not* re-open the period for candidate nominations. We therefore hold that the C-1 Legislator nominees are: Wilma Blackbear, Richard Smith, Leona Whiteshield, Bruce Whitman, Jr., and Winona Youngbird.⁴ We hold further that the C-3 Legislator nominees are Charles E. Fletcher, Janice Prairie Chief-Boswell, Jerry Roman Nose, and Max J. Watan. As noted elsewhere in this Order, the new Election Commission shall have until May 16, 2008 to decide any challenges not herein resolved that may have been timely filed (as defined in Part III of this Order) to the above-enumerated preliminary list of candidates for the C-1 and C-3 Legislator positions.

VI.

We also order that the delayed 2007 Primary and General Elections be conducted according to the following schedule:

May 9, 2008	Voter registration for Primary Election closes (5:00 p.m.)
May 12, 2008	Deadline for posting preliminary list of eligible voters
May 14, 2008	Challenge period for the preliminary list of eligible voters closes
May 16, 2008	Deadline for the Election Commission to verify qualifications of and to decide previously-filed challenges to the preliminary list of candidates; Deadline for posting final list of candidates

⁴ We explicitly hold today that the tribal-law crimes punishable by banishment are functionally equivalent to state-law or federal-law felonies for purposes of CHEY. & ARAP. CONST. [2006] art. VI, § 4(b), and based on his multiple embezzlement convictions (many punishable by banishment), *see generally* *Cheyenne & Arapaho Tribes v. Bullcoming*, No. CNA-SC-07-12 (Chey. & Arap. S.Ct., Oct. 29, 2007), we find Roy Dean Bullcoming ineligible to run for (or serve as) a Legislator under the terms of Article VI, Section 4(b) of the 2006 Constitution. While not affecting the above conclusion, we also take judicial notice that Mr. Bullcoming is now under federal indictment for other acts of embezzlement, and that he currently owes money to the Tribes, *cf.* CHEY. & ARAP. CONST. [2006] art. VI, § 4(d).

May 16, 2008	Deadline for the Election Commission to decide challenges to the preliminary list of eligible voters; Deadline to post final list of voters
June 5, 2008	Date to mail absentee ballots for the Primary Election
June 24, 2008	Date of the Primary Election
June 25, 2008	Deadline for certification of the Primary Election results
June 29, 2008	Voter registration for General Election closes (5:00 p.m.)
July 10, 2008	Date to mail absentee ballots for the General Election
July 29, 2008	Date of the General Election
July 30, 2008	Deadline for certification of General Election results
August 2, 2008	Oath of Office administered to newly elected officials by a Justice of this Court

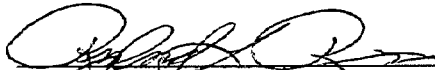
VII.

We remind all parties that motions for reconsideration, rehearing, clarification, and the like do not effectuate any stay of the Order we issue today, and we retain continuing jurisdiction over this case. All pre-election challenges to Election Commission actions (or inaction) shall, however, be initially brought in the Cheyenne and Arapaho Trial Court,⁵ *see generally Flyingman v. Election [Board]*, No. CNA-SC-07-13, slip op. at 2-6 (Chey. & Arap. S.Ct. Sept. 24, 2007), subject to timely appeal to this Court. Post-election challenges are of course subject to the procedures established by CHEY. & ARAP. CONST. [2006] art. IX, § 13.

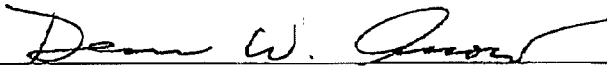
The Clerk of this Court shall file this Order *instanter*, and shall provide copies of it to all parties to this litigation and their attorneys (if any); to all non-party Legislators; to all candidates identified by name in this Order; to the Tribal Council Coordinator; to the Election Commissioners certified herein; to Galila Johnson, Superintendent, Bureau of Indian Affairs; and to Dan Deerinwater, Regional Director, Bureau of Indian Affairs.

⁵ We assign any such cases as may be filed to Hon. Bob A. Smith of that Court.

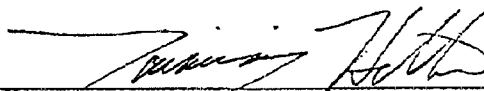
IT IS SO ORDERED.



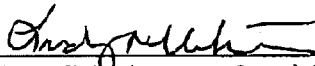
Ryland L. Rivas, Chief Justice



Dennis W. Arrow, Associate Justice



Tajawagi Helton, Special Justice



Lindsay G. Robertson, Special Justice

CERTIFICATE OF MAILING

I, Patty Bell, Court Clerk of the Supreme Court for the Cheyenne and Arapaho Tribes do hereby certify that I mailed the following document to those names who appear below in Case No: CNA-SC-07-15, Patrick Spottedwolf, Geraldine Warledo, Imogene Herndon, Plaintiffs/Appellants; Darrell Flyingman, Governor, Intervenor/Appellant vs. Ida Hoffman, Speaker, First Legislature; Legislators, Election Board of the Cheyenne & Arapaho Tribes; and all others acting under their direction or control, Defendants/Appellees and Case No: CNA-SC-07-02, In Re inherent Executive Authority to conduct essential government functions, Governor Darrell Flyingman, Plaintiff/Appellant vs. First Legislature of the Cheyenne and Arapaho Tribes; Ida Hoffman, Speaker Roy Dean Bullcoming; Mike Martin; Janice Prairiechief-Boswell, Virgil Whiteshirt, Jr., and Robert Wilson, Defendants/Appellees

ORDER FILED 4-14-08

via U.S. regular mail on the 15th day of April, 2008.

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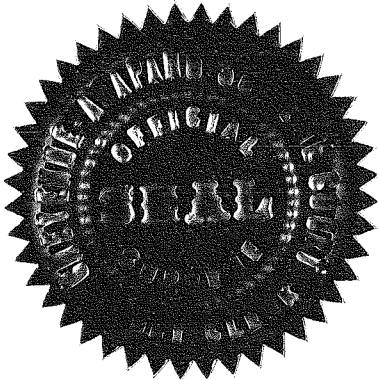
Mr. Dennis W. Arrow
Associate Justice, Supreme Court
(emailed 04-15-08)

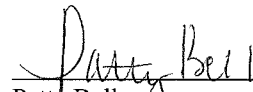
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Patty Bell
Court Clerk
Cheyenne and Arapaho Supreme Court