

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

RHONDA LEONA BROWN	:	
FLEMING, et al.	:	
	:	CASE NO. _____
PLAINTIFFS,	:	
	:	JUDGE _____
VS.	:	
	:	
THE CHEROKEE NATION, et al.	:	CLASS ACTIONS
	:	ALLEGATIONS
DEFENDANTS.	:	

**MOTION OF RHONDA LEONA BROWN FLEMING FOR A TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

In accordance with the provisions of Fed. R. Civ. P. 65 and L. Cv. R. 65.1(a), and the attached Affidavit, Plaintiff Rhonda Leona Brown Fleming respectfully moves for an immediate order that temporarily restrains Defendants The Cherokee Nation, The Cherokee Nation Election Commission, The Department of Interior and Principal Chief Bill John Baker from enforcement of Section 2, Article 7 of the Cherokee Constitution that limits eligibility for election to the office of Principal Chief of the Cherokee Nation to so-called blood Cherokees who have resided within the boundaries of the Cherokee Nation for at least 270 days prior to the election. An immediate order is required for the reason a candidate for election as principal chief must be domiciled within the geographic bounds of the Cherokee Nation by September 6, 2018, in order to be eligible for the June 1, 2019 election. A judicial determination must be made immediately whether Article 9 of the 1866 Treaty between the Cherokee Nation and the United States renders the blood Cherokee eligibility requirement for Principal Chief candidates unlawful and an

opportunity provided for Plaintiff to relocate to the Cherokee Nation, if the domicile requirement is lawful.

An Affidavit and Memorandum of Points and Authorities in Support of this motion are attached. A Proposed Order is attached.

Respectfully Submitted,

s/Paul A. Robinson, Jr.

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and

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