

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 23-3655

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Turtle Mountain Band of Chippewa Indians; Spirit Lake Tribe; Wesley Davis; Zachery S. King;  
Collette Brown

Plaintiffs - Appellees

v.

Michael Howe, in his official capacity as Secretary of State of North Dakota

Defendant - Appellant

North Dakota Legislative Assembly; William R. Devlin, Representative also known as Bill  
Devlin; Senator Ray Holmberg, Representative; Senator Richard Wardner, Representative;  
Senator Nicole Poolman, Representative; Michael Nathe, Representative; Terry Jones,  
Representative; Claire Ness, Senior Counsel at the North Dakota Legislative Council

Movants

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State of Alabama; State of Florida; State of Georgia; State of Iowa; State of Kansas; State of  
Louisiana; State of Mississippi; State of Missouri; State of Montana; State of Nebraska; State of  
South Carolina; State of South Dakota; State of Texas; State of Utah; State of West Virginia

Amici on Behalf of Appellant(s)

National Congress of American Indians; Lawyers' Committee for Civil Rights Under Law;  
United States of America; NAACP Legal Defense and Educational Fund, Inc.

Amici on Behalf of Appellee(s)

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Appeal from U.S. District Court for the District of North Dakota - Eastern  
(3:22-cv-00022-PDW)

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**JUDGMENT**

Before COLLOTON, Chief Judge, GRUENDER, and KOBES, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is vacated and the cause is remanded to the district court for proceedings consistent with the opinion of this court.

May 14, 2025

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Susan E. Bindler