

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

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April 03, 2023

Mr. Scott K. Porsborg
SMITH & PORSBORG
P.O. Box 460
122 E. Broadway Avenue
Bismarck, ND 58501

RE: 23-1597 Turtle Mountain Band of Chippewa Indians, et al v. North Dakota
Legislative Assembly, et al

Dear Mr. Porsborg:

Enclosed is a copy of the dispositive order in the referenced appeal. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. This court strictly enforces the 14 day period. **No grace period for mailing is granted** for pro-se-filed petitions. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Michael E. Gans
Clerk of Court

BNW

Enclosure(s)

cc: Mr. Matthew Lee Campbell
Mr. Michael Stephen Carter
Mr. Clerk, U.S. District Court, North Dakota
Ms. Molly E. Danahy
Mr. Mark P. Gaber
Ms. Nicole Hansen
Ms. Samantha Blencke Kelty
Mr. Austin T. Lafferty
Mr. David Ray Phillips
Mr. Timothy Q Purdon
Mr. Matthew A Sagsveen
Mr. Brian D. Schmidt
Mr. Bryan L. Sells
Mr. Bradley Neuman Wiederholt

District Court/Agency Case Number(s): 3:22-cv-00022-PDW

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

No: 23-1597

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

Plaintiffs - Appellees

v.

Michael Howe

Defendant

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 - Appellants

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

JUDGMENT

Before COLLOTON, BENTON, and KELLY, Circuit Judges.

The court has carefully reviewed the original file of the United States District Court and orders that this appeal be dismissed for lack of jurisdiction.

April 03, 2023

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans