

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

CASE NO: 1:22-CV-00031

Charles Walen, an individual; and Paul
Henderson, an individual,
Plaintiffs,

vs.

DOUG BURGUM, in his official capacity
as Governor of the State of North
Dakota; MICHAEL HOWE in his official
Capacity as Secretary of State of the
State of North Dakota,
Defendants,

and

The Mandan, Hidatsa and Arikara
Nation, Lisa Deville, an individual; and
Cesar Alvarez, Jr., an individual.
Defendant-Intervenors.

NOTICE OF APPEAL TO THE U.S. SUPREME COURT

Notice is given that Plaintiffs Charles Walen, an individual, and Paul Henderson, an individual, hereby appeal to the United States Supreme Court, this Court's Order on Motions for Summary Judgment (November 2, 2023, Doc. 128), denying Plaintiffs' Motion for Summary Judgment and granting Defendants Doug Burgum and Michael Howe's Motion for Summary Judgment and Defendant-Intervenors the Mandan, Hidatsa, and Arikara Nation, and individual voters Lisa Finley-DeVille and Cesareo Alvarez, Jr.'s Motion for Summary Judgment (Doc. 128).

This appeal is taken pursuant to 28 U.S.C. § 1253, which provides for direct appeal to the United States Supreme Court from a final decision of a three-judge court granting or denying a permanent injunction and 28 U.S.C. 2101(b), which provides that the time for an appeal to be taken from a final judgment, order, or decree in this matter is sixty days.

Respectfully submitted this 2nd day of January, 2024.

Robert W. Harms
Attorney for Plaintiffs
815 N. Mandan St.
Bismarck, ND 58501
Telephone: 701-255-2841

By: /s/ Robert W. Harms
Robert W. Harms (ID# 03666)