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TO: Tribal Prosecutor, Northern Cheyenne Tribe
Northern Cheyenne BIA Law Enforcement

DATE: July 24, 2026

RE: Request for Criminal Investigation and Prosecution of: Gene Small, Robert Simpson, Dion Killsback, and Larry Medicine Bull and others for the offenses listed below.

This complaint is submitted by Steven A. Kelly and Elmore Limberhand III on behalf of their clients listed as Plaintiffs in the attached case: Melissa Fisher, Melissa Lonebear, Eva Foote, Howard Ontiveros, Donavon Limberhand, Gwen Spotted Horse, Stefan Rainingbird, Nizhoni Friez, Edina Red Star, Kristi Killsnight, and Ryhal Rowland all Plaintiffs.

The Order attached to this complaint is the order Robert Simpson, Gene Small, Dion Killsnight and Larry Medicine Bull all took exception to and demanded Judge Curtis Elkshoulder rescind by threatening and intimidating him at a meeting on or about the evening of May 27, 2026. The details of the events supporting this complaint are provided below.

COMPLAINT / REFERRAL FOR CRIMINAL INVESTIGATION AND PROSECUTION

Complainants, through counsel, submits this referral for criminal investigation and prosecution arising from alleged conduct directed at Chief Judge Curtis Elkshoulder and the administration of justice in connection with proceedings in the Northern Cheyenne Tribal Court.

This referral is based on the contemporaneous texts from Chief Judge Curtis Elkshoulder describing intimidation, coercion, and interference and the affidavit of Donna Fisher.

I. PERSONS REFERRED

*/The following individuals are referred for investigation and possible criminal charges:

- Gene Small
- Robert Simpson
- Dion Killsback
- Larry Medicine Bull

II. SUMMARY OF ALLEGED CONDUCT

The materials provided indicate that:

1. On or about May 27, 2026, Robert Simpson allegedly went to Judge Elkshoulder's home and summoned him to a meeting.
2. At that meeting, Gene Small, Larry Medicine Bull, Dion Killsback, and others allegedly confronted Judge Elkshoulder and pressured him to rescind or alter his May 20, 2026 order.
3. Judge Elkshoulder contemporaneously stated in electronic messages that he was "very intimidated," almost got into a fist fight with the Chief's Attorney Dion Killsback, initially agreed to grant reconsideration and reassignment because he was "clearly outnumbered," and believed he had been forced or bullied into his statements.
4. Judge Elkshoulder also stated that he had to go to the meeting because "they sent my society brothers to get me" and that his future rulings would be affected because he had spoken with them.
5. All the statements in Judge Elkshoulder's texts reveal Robert Simpson, Gene Small, Dion Killsback and Larry Medicine Bull intentionally intimidated the Judge in order to interfere and influence his official duties and actions.

III. OFFENSES

Based on the current record, the conduct may implicate the following offenses under Title VII:

COUNT 1: Intimidation, 7.4.36 Intimidation: Intimidation involves communicating a threat with the purpose of causing another to perform or omit an act, including taking or withholding official action. Robert Simpson, Gene Small, Dion Killsback and Larry Medicine Bull acting individually and in concert, communicated threats and coercive demands to Chief Judge Curtis Elkshoulder for the purpose of causing him to alter or rescind judicial action.

COUNT 2: Protection of Officials, Employees and Law Enforcement Officers, 7.9.3 Protection Officials, Employees and Law Enforcement Officers: Defendants forcibly intimidated or interfered with a judge of a tribal court. A person violates 7.9.3 Protection Officials, Employees and Law Enforcement Officers if he or she forcibly assaults, intimidates, or interferes with any judge, court employee, witness, juror, elected official, employee, or law enforcement officer. The text messages from Judge Elkshoulder describing intimidation and Judge Elkshoulder being "clearly outnumbered" support investigation under this section.

COUNT 3: Criminal Contempt, 7.9.12 Criminal Contempt: Criminal Contempt applies to misbehavior in a court proceeding or disobedience or resistance to any process, order, subpoena, warrant, or command of the Court. The conduct of Robert Simpson, Gene Small, Dion Killsback and Larry Medicine Bull was intended to pressure the Judge to alter, rescind, or ignore a court

order, criminal contempt should be investigated. They engaged in disobedience of or resistance to the Court's order and/or misbehavior in a court proceeding by pressuring a judicial officer to disregard lawful orders.

COUNT 4: Harassment, 7.4.37 Harassment: Harassment covers persistent threatening, insulting, or demeaning conduct, including electronic communication or threat, that causes fear of harm or property damage. Robert Simpson, Gene Small, Dion KILLSBACK and Larry Medicine Bull engaged in threatening, insulting, or demeaning conduct and communications toward the Judge.

COUNT 5: Obstructing Justice, 7.9.17 Obstructing Justice: Obstructing Justice prohibits preventing or obstructing by force, deception, or intimidation anyone from performing an act that might aid in the discovery, arrest, or prosecution of an offender, and suppressing evidence. Robert Simpson, Gene Small, Dion KILLSBACK and Larry Medicine Bull used intimidation to prevent or obstruct the performance of the Judge's official judicial duties and the administration of justice.

COUNT 6: Retaliation for Past Official Action, 7.9.19 Retaliation for Past Official Action: Retaliation for Past Official Action prohibits harming a person by an unlawful act in retaliation for lawful acts taken in an official capacity. Robert Simpson, Gene Small, Dion KILLSBACK and Larry Medicine Bull acted in retaliation for judicial actions lawfully taken by Chief Judge Elksholder.

IV. EVIDENCE SUPPORTING THIS REFERRAL

The referral is supported by the following attached materials:

- Text message image stating: "I almost got into a fist fight with Dion as well. I initially and verbally agreed to grant a motion for reconsideration and reassignment because I was clearly outnumbered. It was very intimidating. They all wanted to yell and cuss."
- Text message image stating: "Would you say you were forced or bullied into saying this ... Because I talked to them ... Anything moving forward will be ruled ..."
- Text message image stating: "I had to go because they sent my society brothers to get me. They know I respect my brothers. They used them."

These materials are contemporaneous and authenticated by the attached affidavit of Donna Fisher.



**V. OTHER POSSIBLE VIOLATORS OR WITNESS OF/TO THE OFFENSES
LISTED ABOVE**

The following individuals are also believed to have been present that night and either engaged in criminal conduct or witnessed it and did nothing and were therefore complicit in the commission of the offenses:

1. LaForce Sioux Calf
2. Vernon Small
3. Reginald Killsnight Sr.
4. Donovan Taylor
5. Waylon Rogers
6. Cameron Russell
7. James Bement, Sr.
8. Daryl Medicine Bull
9. Rachel Soldierwolf
10. Mariah Soldierwolf

VI. REQUESTED ACTION

Complainants respectfully requests that the Tribal Prosecutor and law enforcement:

1. Open a criminal investigation;
2. Interview Judge Curtis Elkshoulder and all witnesses identified above;
3. Determine whether probable cause exists to charge one or more of the referenced offenses; and
4. File charges as appropriate.

Respectfully submitted,

Elmore Limberhand
Steven A. Kelly
Lay Advocate for Plaintiffs
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Lame Deer, Montana 59043
(406) 477-6668
(701) 421-7930

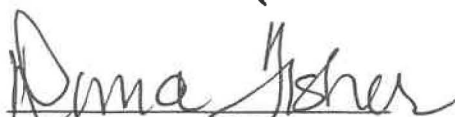
**AFFIDAVIT OF DONNA FISHER IN SUPPORT OF AUTHENTICATION OF
ELECTRONIC COMMUNICATIONS**



I, Donna Fisher, declare under oath as follows:

1. I am over the age of eighteen and competent to make this affidavit.
2. I have personal knowledge of the facts stated in this affidavit, except where stated on information and belief, and if called as a witness, I could and would testify truthfully to those facts.
3. I am a party, witness, or recipient of the electronic communications attached hereto.
4. I make this affidavit for the purpose of authenticating the attached text messages.
5. The attached text messages were received by me in my communications with Chief Judge Curtis Elkshoulder.
6. These communications are true and correct copies of text messages I received.
7. The attached text messages were not altered, edited, or modified by me in any way.
8. The text messages were received by me on or about May 29, 2026.
9. The sender identified in the communications is Chief Judge Curtis Elkshoulder, based on the phone number, account identification, content of the messages, and my prior communications with him.
10. The text messages reveal Chief Judge Elkshoulder described feeling intimidated and of being pressured in connection with his judicial rulings, and being "forced or bullied" as a result.
11. This affidavit is submitted to establish the authenticity of the attached e-mails and messages, not to offer final proof of the truth of every statement contained in them.
12. I declare under penalty of perjury under the laws applicable in this Court that the foregoing is true and correct.

DATED: July 24, 2026


Donna Fisher

Subscribed and sworn before me this 24th day of July, 2026.

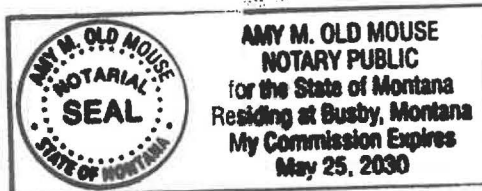
State of Montana

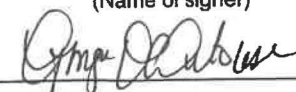
County of Rosebud

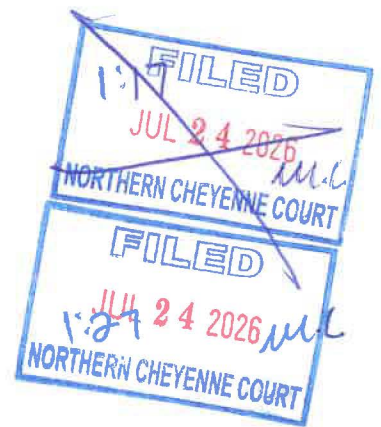
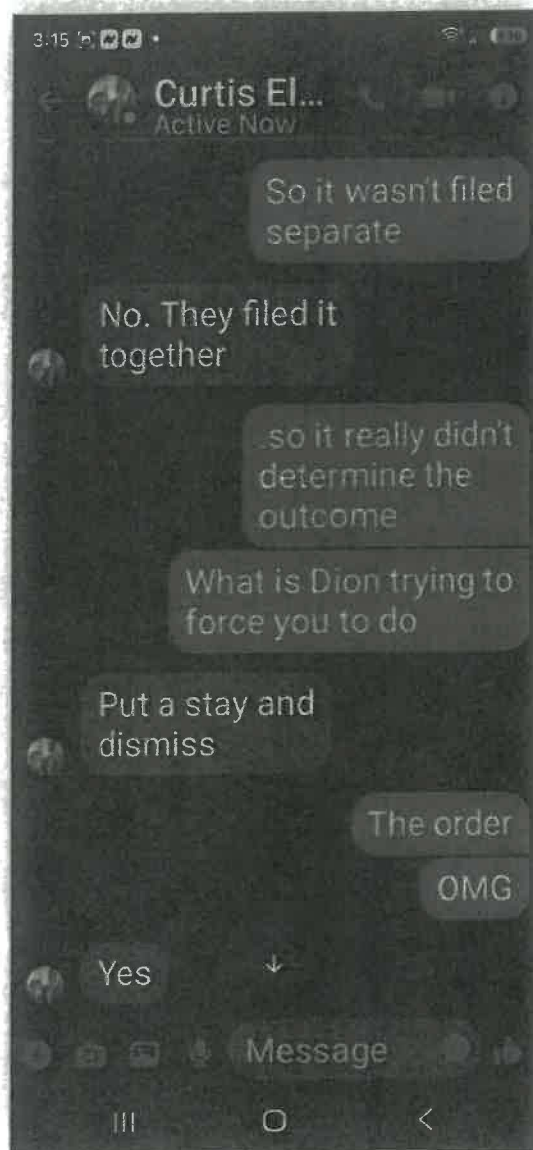
Notary Public / Clerk

My Commission Expires: May 25 2030

This instrument was signed or acknowledged before
me on July 24, 2026 by Donna Fisher
(Name of signer)




(Notary Signature)
[Affix seal/stamp to the left or below]





Curtis El...

Active Now

to stand my ground. It was rough but I affirmed that I did my job in accordance with law.

I had to go because they sent my society brothers to get me. They know I respect my brothers. They used them.

You did good

They accused me of knowing who Steve Kelly is and that I hired him for the council. Lol. I honestly d_↓'t know the guy.



Message



**Curtis El...**

Active Now

THU AT 12:10 AM

Would you say you
were forced or bullied
into saying this

THU AT 5:46 AM

**Both**

THU AT 6:34 AM

Are you changing the
order or whats going
to happen

I'm giving it to David. I
have to step away
from it now

Because I talked to
them

Anything f ↓ ↓ moving
forward will be ruled



Message



**Curtis El...**

Active Now

I'm not sure. But it's gonna come out. It has to.

I almost got into a fist fight with Dion as well.

I initially and verbally agreed to grant a motion for reconsideration and reassignment because I was clearly outnumbered

It was very intimidating

They all wanted to yell and cuss r ↓



Message





CERTIFICATE OF SERVICE

This is to certify that on the date and time stated below, I served the attached:
(mark one)

☐ Motion
☐ Response/Answer
☐ Notice of Appearance
☐ Request
☒ Other: Letter To Prosecution

Upon: (mark one)

☒ The Prosecutor: _____

____ Name of Person: _____

____ Name of Program/Business: _____

☒ Personally serve at: Office of Prosecution
(describe location below)

Or by: (mark one)

____ Regular 1st Class Mail: _____
Mailing/Physical address

____ City _____ State _____ Zip Code _____

____ Certified Mail: _____
Mailing/Physical address

____ City _____ State _____ Zip Code _____

Date: 7-24/26

Time: _____

Signature: [Signature]