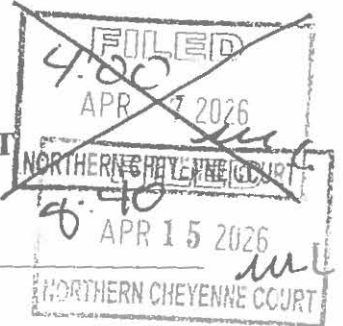


IN AND FOR THE NORTHERN CHEYENNE TRIAL COURT
NORTHERN CHEYENNE JURISDICTION
LAME DEER, MONTANA 59043



CASE NO. C2026-079.A

Melissa Fisher (Ashland), Eva Foote (Ashland),
Gwen Spottedhorse (Birney), Stefan Rainingbird
(Busby), Melissa Lonebear (Lame Deer), Nizhoni
Friez (Lame Deer), Donovan Limberhand (Lame Deer),
Howard Ontiveros (Muddy), Edina Redstar, Secretary,
Kristi Killsnight, Treasurer & Ryhal Rowland, Employee

In their official capacities as lawfully elected
Council members, appointees, and employee.

Plaintiffs,

v.

Larry Medicine Bull, Wesley Spotted Elk, &
Roger Killsnight,

in their capacities as purported Chiefs;

and

Jason Standing Elk (Ashland), Waylon Rogers
(Ashland), Llevando "Cowboy" Fisher (Birney),
Reuben Roundstone (Busby), Corey Spotted Elk
(Lame Deer), Josie "Wade" Redhat (Lame Deer),
Robert Simpson (Lame Deer), Lynwood Ewing
(Muddy), Sharlene Evans, Secretary, & Terrance
Limpy, Treasurer & Donovan Taylor, (Busby),

in their capacities as purported
Council members,

Defendants.

VERIFIED COMPLAINT AND PETITION FOR DECLARATORY RELIEF,
INJUNCTIVE RELIEF, AND WRIT OF QUO WARRANTO

Plaintiffs Melissa Fisher, Eva Foote, Gwen Spottedhorse, Stefan Rainingbird, Melissa Lonebear, Nizhoni Friez, Donovan Limberhand, Howard Ontiveros, Edina Redstar, and Kristi Killsnight (“Plaintiffs”), for their verified complaint and petition against Defendants, allege as follows:

I. INTRODUCTION

1. This action challenges an unlawful attempt to remove duly elected Tribal officials and replace them through a declaration issued without lawful authority, without required process, and without effect under Tribal law.
2. On September 10, 2025, Defendant Chiefs issued a document styled as the “Declaration of the Chiefs of the Northern Cheyenne Tribe” (the “Declaration”), purporting to dissolve the Northern Cheyenne Tribal Council, remove Plaintiffs from office, and ban certain Plaintiffs from future office. (A true and correct copy of the Declaration is attached hereto as “Exhibit A.”)
3. The Northern Cheyenne Amended Constitution and Bylaws governs the removal of “any officer or councilman.” A councilman or officer “may be removed by a two-thirds (2/3) vote of the Tribal Council, after the submission of a written complaint and the accused member is afforded a fair opportunity to be heard in his own defense.” Amended Constitution and Bylaws, Article VII.
4. The Declaration did not comply with any provision of the Northern Cheyenne Constitution, Revised Law and Order Code, or recognized lawful process governing removal of elected officials.

5. Because no lawful removal occurred, no vacancy was created. Because no vacancy was created, Defendant Council Members have no lawful claim to the offices they purport to occupy.
6. Plaintiffs seek declaratory relief, injunctive relief, and a writ of quo warranto declaring the Declaration void, confirming Plaintiffs' lawful offices, and ousting Defendants from offices they unlawfully claim.

II. JURISDICTION AND VENUE

6. This Court has subject-matter jurisdiction under the Northern Cheyenne Revised Law and Order Code and the Court's inherent authority to interpret Tribal law, resolve disputes concerning Tribal office, and provide extraordinary relief. Northern Cheyenne Law and Order Code, Title II, §§ 2.2.1 and 2.2.4.
7. This Court also has the authority to issue extraordinary writs when: (1) where any person usurps, intrudes into, or unlawfully holds or exercises a public office; (2) where an inferior tribunal, board or officer exercising judicial functions has exceeded its jurisdiction or abused its discretion; (3) to compel the admission of a party to the use and enjoyment of a right or office to which he is entitled and from which he is unlawfully excluded by such inferior tribunal, board or person; and (4) Where the relief sought is to arrest the proceedings of any tribunal, board or person when such proceedings are without jurisdiction of such tribunal, board or person. Northern Cheyenne Law & Order Code. § 4.4.10.
8. This Court has authority to issue declaratory and injunctive relief, and to entertain a writ of quo warranto where a person usurps, intrudes into, or unlawfully holds or exercises a public office. Northern Cheyenne Law & Order Code, §§ 4.4.9,

9. Venue is proper in this Court because the challenged conduct occurred on the Northern Cheyenne Reservation, involves members of the Northern Cheyenne Tribe only, and concerns the composition and functioning of Northern Cheyenne governmental offices.

III. PARTIES

10. Plaintiffs are enrolled members of the Northern Cheyenne Tribe and include duly elected Tribal Council members and officers whose authority derives from lawful Tribal elections and office. It also includes Ryhal Rowland who was an employee who served the legislative branch under the direction and control of the Plaintiffs.
11. Defendants Larry Medicine Bull, Wesley Spotted Elk and Roger Killsnight are named in their purported capacities as Chiefs and are alleged to have participated in or endorsed the Declaration.
12. Defendants Jason Standing Elk, Waylon Rogers, Llevando “Cowboy” Fisher, Reuben Roundstone, Corey Spotted Elk, Josie “Wade” Redhat, Robert Simpson, and Lynwood Ewing are individuals who currently claim to act as Tribal Council members solely by virtue of the Declaration and acts taken in reliance upon it.
13. Defendant Donovan Taylor also purports to act as a Tribal Council member as the result of an unlawful appointment by President Gene Small.

IV. FACTUAL ALLEGATIONS

14. Before September 10, 2025, the Northern Cheyenne Tribal Council consisted of duly elected members serving valid terms under Tribal law. The lawful election of the Plaintiffs is recognized under Ordinances No. DOI – 010 (2023) and Ordinance No. DOI – 008 (2025).

(True and correct copies of these Ordinances are attached as “Exhibit C.”) The Bureau of Indian Affairs has approved these Ordinances.

15. Plaintiffs hold their offices pursuant to lawful elections and have not been lawfully removed.
16. On September 10, 2025, the purported Chief Defendants issued the Declaration.
17. The Declaration purports to dissolve the Tribal Council, remove lawfully elected officials, and replace them with other individuals. It also purports to terminate the employment of Ryhal Rowland. Lastly, it purports to ban the Plaintiffs “for life from ever standing for any election with the Northern Cheyenne Tribe or holding any leadership position.”
18. The Declaration does not identify any Tribal constitutional provision authorizing such action.
19. There is no provision in the Northern Cheyenne Constitution & Bylaws that authorizes the removal of any elected official by the Chiefs.
20. Furthermore, even if the Chief’s authority is supported by law, the purported Chiefs did not provide notice, charges, a hearing, a vote, or any other lawful process required for removal of elected officials or as a matter of due process norms.
21. Plaintiffs were not afforded an opportunity to be heard before the Declaration was issued.
22. When the Chiefs follow certain protocols and procedures when they do meet and issue a decision of magnitude such as the purported removal of the Plaintiffs.
23. The Affidavit of Cordell Little Coyote (attached hereto as Exhibit B), states that the Declaration was not issued by a lawful body of Chiefs, that proper authority was lacking, and that required traditional or constitutional process and/or protocols were not followed.

24. On or about October 30, 2025, Defendants or persons acting in reliance on the Declaration attempted to install or recognize replacement Tribal Council members.
25. Plaintiffs were not lawfully removed, and the offices they held were never vacated.
26. Nonetheless, on or about October 30, 2024, an unlawful election was held and all the Council Defendants except for Donovan Taylor were purported to be elected to the Council. The unlawful council passed a resolution recognizing the results of the October 30, 2025, election. This resolution was submitted to the Bureau of Indian Affairs for approval, but the resolution has never been approved.
27. Defendants have continued to assert authority over Tribal offices and governance functions despite the absence of lawful removal or lawful succession. For instance, the Defendants have passed many resolutions, including resolution authorizing the expenditures of funds and amending a budget lawfully passed by the Plaintiffs. These resolutions have not been approved by the Bureau of Indian Affairs because it does not recognize the Defendants as lawful council members. Thus, the Defendants have unlawfully authorized the expenditure of hundreds of thousands of dollars, including one attorney contract for over \$300,000. The Tribe's finance department has distributed the funds they have unlawfully authorized.
28. Plaintiffs have been unlawfully excluded from office, Tribal governance has been disrupted, unauthorized expenditures have been issued, and confusion concerning lawful authority persists.

V. CLAIMS FOR RELIEF

COUNT I

DECLARATORY RELIEF

29. Plaintiffs reallege paragraphs 1 through 28.
30. An actual controversy exists concerning the validity of the Declaration and the lawful composition of the Tribal Council.
31. Plaintiffs are entitled to a declaration that:
- a. the Declaration is void and without legal effect;
 - b. the purported removal of Plaintiffs was ineffective under Tribal law; and
 - c. Plaintiffs remain the lawful holders of their respective offices and employment.

COUNT II

INJUNCTIVE RELIEF

28. Plaintiffs reallege paragraphs 1 through 28.
29. Defendants' continued exercise of authority causes ongoing and irreparable harm, including exclusion of lawful officeholders, disruption of Tribal operations, and uncertainty concerning lawful governance.
30. Plaintiffs lack an adequate remedy at law because damages cannot restore lawful governance or undo continuing unauthorized acts taken in the name of Tribal office.
31. Plaintiffs are entitled to temporary, preliminary, and permanent injunctive relief enjoining Defendants from:
- a. acting as Tribal Council members;

- b. enforcing or relying upon the Declaration;
- c. excluding Plaintiffs from office or Tribal facilities;
- d. representing themselves as lawful officeholders absent lawful authority.

COUNT III

WRIT OF QUO WARRANTO

- 32. Plaintiffs reallege paragraphs 1 through 28.
- 33. Defendants presently claim to occupy and exercise public Tribal offices.
- 34. Quo warranto lies to test the authority by which they claim those offices and to oust persons who usurp, intrude into, or unlawfully hold or exercise public office.
- 35. Defendants cannot establish lawful authority to hold the offices they claim because the Declaration is void and no lawful vacancy existed.
- 36. Plaintiffs are therefore entitled to a writ of quo warranto requiring Defendants to show by what authority they claim office and, upon failure to do so, to be removed from those offices.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor and against Defendants, and grant the following relief:

- A. Declare that the September 10, 2025 Declaration is void and without legal effect;
- B. Declare that the purported removals of Plaintiffs are ineffective under Tribal law;
- C. Declare that Plaintiffs remain the lawful officeholders;
- D. Issue a writ of quo warranto;
- E. Enter an order ousting Defendants from any office they unlawfully claim and order the

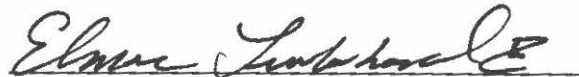
assistance of tribal and BIA law enforcement in a peaceful transition so that Plaintiffs may resume their offices and property;

F. Enjoin Defendants from acting as Tribal Council members or otherwise exercising authority without lawful basis;

G. Restore Plaintiffs to the full rights, privileges, and responsibilities of their offices;

H. Award costs and any other relief the Court deems just and proper.

RESPECTFULLY SUBMITTED on this 3rd day of April 2026.



Elmore Limberhand,
Steven A. Kelly
Lay Advocates for All Defendants
P.O. Box 988
Lame Deer, Montana 59043
(406) 477-6668 (Limberhand)
(701) 421-7930 (Kelly)

VERIFICATION

I, Elmore Limberhand ^{III} declare under penalty of perjury that I have read the foregoing Verified Complaint and that the facts stated therein are true and correct to the best of my knowledge and belief.

Dated: April 7, _____, 2026


Plaintiff/Petitioner

Subscribed and sworn before me this 7 day of April, 2026.

Notary Public / Clerk

