

No. SC-CV-68-14

NAVAJO NATION SUPREME COURT

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Dale Tsosie and Hank Whitethorne,  
Petitioners,

v.

Navajo Board of Election Supervisors  
and the Navajo Election Administration,  
Respondents,

And Concerning:

Christopher C. Deschene,  
Real Party in Interest.

ORDER

Before YAZZIE, H., Chief Justice, SHIRLEY, E., Associate Justice, and BLACK, I. Associate Justice by Designation.

An original action for a writ of mandamus against the Navajo Board of Election Supervisors and the Navajo Election Administration concerning Cause Nos. OHA-EC-05-14 and OHA-EC-07-14, Chief Hearing Officer Richie Nez, presiding.

David Jordan, Gallup, New Mexico, and Justin Jones, Farmington, New Mexico, for Petitioners; Levon Henry, Chief Legislative Counsel, Window Rock, Navajo Nation, for Respondents; Brian Lewis, Gallup, New Mexico, for Real Party in Interest.

This matter comes before the Court on a Petition for Writ of Mandamus. Petitioners seek a writ of mandamus against the Respondents and an injunction against Christopher C. Deschene. The parties shall submit a 5-page brief (excluding table of contents, table of citations and attachments) as to this Court's jurisdiction by 9:00 am, October 20, 2014. The parties shall also prepare a separate 10-page brief (excluding table of contents, table of citations and attachments) setting forth their position on the merits of the petition. There will be no answer or reply. No late

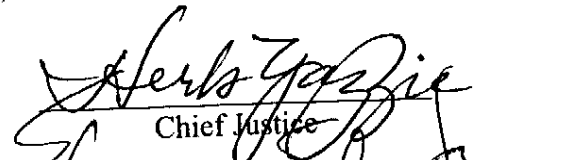
briefs will be accepted. The Office of Hearings and Appeals, through its legal counsel, is invited and may file briefs by the deadline noted above.

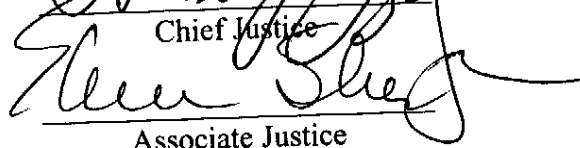
A motion to intervene has been filed by Deschene. The motion is hereby granted and Deschene is now a responding party. The briefing schedule set above also applies to Deschene.

The parties are to keep in mind that this action is a matter of enforcement and not a matter of Deschene's qualifications, which have been fully adjudicated.

A hearing will be held at 1:00 pm on October 20, 2014 at the Navajo Department of Transportation, Naataani Board Room, in Tse Bonito.

Dated this 17<sup>th</sup> day of October, 2014.

  
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Chief Justice

  
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Associate Justice

Telephonically Approved

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Associate Justice