MINUTES
REGULAR MEETING
March 12, 2019
CHEROKEE NATION ELECTION COMMISSION

Call to order/Roll call of Commissioners:

The meeting of the Cherokee Nation Election Commission was called to order by Vice-Chair, Pamela Sellers at 4:02 p.m. in the absence of Chair Shawna Calico who could not attend in person due to a family medical situation. Pamela Sellers asked the Commission if they would allow Shawna Calico to attend by phone. A motion was made by Rick Doherty and seconded by Randy Campbell to approve Shawna Calico to attend by phone. The motion was approved by all Commissioners present.

Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

Commissioner Carolyn Allen called roll and a quorum was established with the following commissioners present:

Shawna Calico, Chairwoman (attending by phone)
Pamela Sellers- Vice-Chair
Carolyn Allen-Secretary
Randy Campbell- Commissioner
Rick Doherty- Commissioner

Office staff present:
Marcus Fears
Connie Parnell

Attorney Harvey Chaffin was present.

Guests present were: Chad Hunter, Paiten Qualls and Travis Snell.

Vice-Chair Pamela Sellers asked for discussion and/or approval of the minutes of the February 21, 2019 Special Meeting. It was noted that these minutes were approved on March 11, 2019 in a special meeting and that we would approve the minutes of the meetings of March 11 and March 12 at the next scheduled meeting.

Administrator’s Report:

The Administrator’s Report was presented by Marcus Fears. The report included voter registration statistics and updates on moving forward in processing applications for General Election.
Randy Campbell made a motion to approve and the motion was seconded by Rick Doherty. The administrator’s report was approved by all commissioners. (Attachment 1)
Shawna Calico-----Yes
Pamela Sellers-----Yes
Carolyn Allen------Yes
Randy Campbell----Yes
Rick Doherty-------Yes

**Election Director’s Report:**

The Election Director’s report was given by Connie Parnell. The report included updates on the 2019 election cycle preparation. A list of items that are currently in progress was included in the election cycle preparation. Precinct trainings have been scheduled. Rick Doherty made a motion which was seconded by Randy Campbell to approve the report. The Election Director’s report was approved by all commissioners. (Attachment #2)

Shawna Calico-----Yes
Pamela Sellers-----Yes
Carolyn Allen------Yes
Randy Campbell----Yes
Rick Doherty-------Yes

**Attorney’s Report:**

Attorney Harvey Chaffin reported the Supreme Court had issued decisions in the Mayes vs. Hoskin, Warner and Proctor cases as well as the Rhonda Brown Fleming case. We are waiting on an order from the Supreme Court on the case of Buel Anglen eligibility. He stated we could consider the two orders we have received on the agenda item for today’s meeting. A motion was made by Rick Doherty to approve the Attorney’s report. The motion was seconded by Randy Campbell and approved by all commissioners.

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

**Old Business:**

There were no old business items.

**Current Items:**

a.) Consideration and possible action regarding number and location of precincts for the 2019 General Election:

A list of 51 precincts and locations was presented for discussion. Attorney Harvey Chaffin stated the law says these must be posted on the website and published in the Cherokee Phoenix 45 days in advance of an election. Randy Campbell made a motion which was seconded by Rick Doherty to
approve this list presented and to publish according to the law. The motion was approved by all commissioners. (Attachment #3)

b.) Consideration and possible action regarding amending Commissioner’s contracts:

After discussion, a motion was made by Rick Doherty and seconded by Randy Campbell to approve the amendments to following Commissioner’s contracts. The motion was approved by all commissioners.

Approved for Amendment:

Carolyn Allen in the amount of $15,600
Shawna Calico in the amount of $15,600
Randy Campbell in the amount of $15,600
Pamela Sellers in the amount of $15,600

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

c.) Consideration and possible action on the Certification of Eligibility of Candidates for the 2019 General Election pursuant to Cherokee Nation Supreme Court decisions:

Vice-Chair, Pamela Sellers announced we had received Supreme Court decisions on the Mayes v. Election Commission, Hoskin, Warner and Procter case as well as a decision regarding the challenge to eligibility of Rhonda Brown Fleming.

Court Case No SC – 19-01 Robin Mayes v. Cherokee Nation Election Commission, Chuck Hoskin, Jr., Bryan Warner, and Deb Proctor:

Vice-Chair, Pamela Sellers read the decision in the Mayes case in which the Order affirmed the decision of the Cherokee Nation Election Commission. A motion was made by Randy Campbell and seconded by Rick Doherty to deem Chuck Hoskin, Jr., Bryan Warner and Deb Proctor as eligible candidates in the 2019 General Election. The motion was approved by all commissioners. (Attachment #4)

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes
Court Case No. Sc-2019-02 Challenge to Eligibility of Rhonda Brown Fleming, Candidate for Chief for the 2019 General Election:

Vice-Chair, Pamela Sellers read the decision on the Challenge of Eligibility of Rhonda Brown Fleming in which the Order read that the appeal be and is hereby dismissed. The Court further found that the Cherokee Nation Election Commission determined Brown-Fleming not eligible as a candidate for Chief because she does not comply with the constitutional residency requirements for the office of Principal Chief. A motion was made Randy Campbell and seconded by Rick Doherty to deem Rhonda Brown Fleming ineligible as a candidate for the office of Chief in the 2019 General Election. The motion was approved by all commissioners. (Attachment #5)

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

A motion was made by Rick Doherty and seconded by Randy Campbell to certify as eligible candidates in the 2019 General Election Chuck Hoskin, Jr., Bryan Warner and Deb Proctor. A letter of certification of eligibility of Chuck Hoskin, Jr., Bryan Warner and Deb Proctor was approved for notification to be given to each of these candidates. The motion was approved by all commissioners.

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

A motion was made by Randy Campbell and seconded by Rick Doherty to deny certification of Rhonda Brown Fleming as a candidate for Chief. A letter of denial of eligibility was approved for notification to be sent to Rhonda Brown Fleming. The motion was approved by all commissioners.

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

The letters of eligibility and denial will be attached in the minutes. (Attachment #6)
Executive Session:

A motion was made by Rick Doherty and seconded by Randy Campbell to enter executive session at 4:19 p.m. under item B. – Personnel. The motion was approved by all commissioners.

Shawna Calico- Yes
Pamela Sellers- Yes
Carolyn Allen- Yes
Randy Campbell- Yes
Rick Doherty- Yes

Exit Executive Session:

A motion was made by Rick Doherty and seconded by Randy Campbell to return from executive session at 4:35 p.m. The motion was approved by all commissioners.

Action from Executive Session:

Vice-Chair, Pamela Sellers announced there had been no action taken from executive session.

Announcements:

There were no announcements.

Adjourn:

A motion was made by Randy Campbell to adjourn at 4:36 p.m. The meeting was adjourned.

Minutes submitted by:

Carolyn Allen, Secretary
Cherokee Nation Election Commission
March 13, 2019
I. OFFICE:
February kicked off and the proceedings that get the election underway began. We had Candidate Filings, Challenges were filed and Hearings were held. We received documentation for the withdrawal of 2 Candidates within the withdrawal period. Currently the office is being inundated with mail, emails, faxes and calls regarding registering to vote or requesting an absentee ballot. We anticipate that to increase as the deadlines for both are approaching.

II. VOTER PROCESSING: As of 03/01/2019
1293 Applications; 71,722 Total Registered Voters; 40,895 In District; 30,827 At-Large

Voter Registration Statistics

A. Statistical Report:
Detailed Data by District and Precinct is Attached

III. FINANCIAL HIGHLIGHTS:
The FY19 is CURRENTLY on target.
**Applications Received**

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voter Registration Applications</td>
<td>588</td>
</tr>
<tr>
<td>Absentee Applications</td>
<td>705</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,293</strong></td>
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**Registration Applications Rejected**

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
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<tbody>
<tr>
<td>Insufficient Address</td>
<td>3</td>
</tr>
<tr>
<td>No Roll Number</td>
<td>12</td>
</tr>
<tr>
<td>Not Signed</td>
<td>2</td>
</tr>
<tr>
<td>Under Age</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>17</strong></td>
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**Deleted Registrations**

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<th>Count</th>
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<tbody>
<tr>
<td>Duplicate</td>
<td>0</td>
</tr>
<tr>
<td>Voter Deceased</td>
<td>68</td>
</tr>
<tr>
<td>Voter Relinquished</td>
<td>0</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>68</strong></td>
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**Registration Status Changes**

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<tr>
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<td><strong>Total</strong></td>
<td><strong>5</strong></td>
</tr>
<tr>
<td>District No. 1</td>
<td>Precinct</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------------</td>
</tr>
<tr>
<td></td>
<td>Hulbert</td>
</tr>
<tr>
<td></td>
<td>Okay</td>
</tr>
<tr>
<td></td>
<td>Tahlequah (1)</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 2</td>
<td>Briggs</td>
</tr>
<tr>
<td></td>
<td>Lowrey</td>
</tr>
<tr>
<td></td>
<td>Tahlequah (2)</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 3</td>
<td>Keys</td>
</tr>
<tr>
<td></td>
<td>Tahlequah (3)</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 4</td>
<td>Ft. Gibson</td>
</tr>
<tr>
<td></td>
<td>Muskogee</td>
</tr>
<tr>
<td></td>
<td>Warner</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
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<td>District No. 5</td>
<td>Gore</td>
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<tr>
<td></td>
<td>Sallisaw (5)</td>
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<tr>
<td></td>
<td>Vian</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 6</td>
<td>Belfonte</td>
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<tr>
<td></td>
<td>Marble City</td>
</tr>
<tr>
<td></td>
<td>Muldrow</td>
</tr>
<tr>
<td></td>
<td>Sallisaw (6)</td>
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<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 7</td>
<td>Cave Springs</td>
</tr>
<tr>
<td></td>
<td>Chewey</td>
</tr>
<tr>
<td></td>
<td>Stilwell (7)</td>
</tr>
<tr>
<td></td>
<td>Westville (7)</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 8</td>
<td>Bell</td>
</tr>
<tr>
<td></td>
<td>Stilwell (8)</td>
</tr>
<tr>
<td></td>
<td>Westville (8)</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
</tr>
<tr>
<td>District No. 9</td>
<td>Jay (9)</td>
</tr>
<tr>
<td></td>
<td>Kansas</td>
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vr2120
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<thead>
<tr>
<th>District</th>
<th>Precinct</th>
<th>Voters</th>
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<tr>
<td>District No. 9</td>
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<td>129</td>
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<td></td>
<td>Salina (9)</td>
<td>536</td>
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<td><strong>2,633</strong></td>
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<tr>
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<td>Afton</td>
<td>591</td>
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<tr>
<td></td>
<td>Grove</td>
<td>727</td>
</tr>
<tr>
<td></td>
<td>Jay (10)</td>
<td>777</td>
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<tr>
<td></td>
<td>Pryor (10)</td>
<td>533</td>
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<tr>
<td></td>
<td>Salina (10)</td>
<td>199</td>
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<td></td>
<td>Spavinaw</td>
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<td>District No. 11</td>
<td>S. Coffeyville</td>
<td>445</td>
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<tr>
<td></td>
<td>Vinita</td>
<td>1,718</td>
</tr>
<tr>
<td></td>
<td>Welch</td>
<td>134</td>
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<td><strong>Total for District</strong></td>
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<tr>
<td>District No. 12</td>
<td>Bartlesville</td>
<td>1,573</td>
</tr>
<tr>
<td></td>
<td>Nowata</td>
<td>689</td>
</tr>
<tr>
<td></td>
<td>Skiatook</td>
<td>113</td>
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<tr>
<td><strong>Total for District</strong></td>
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<td><strong>2,375</strong></td>
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<td>District No. 13</td>
<td>Catoosa</td>
<td>344</td>
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<tr>
<td></td>
<td>Collinsville</td>
<td>980</td>
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<tr>
<td></td>
<td>Tulsa</td>
<td>1,845</td>
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<td><strong>Total for District</strong></td>
<td></td>
<td><strong>3,169</strong></td>
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<td>District No. 14</td>
<td>Chelsea</td>
<td>539</td>
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<tr>
<td></td>
<td>Claremore (14)</td>
<td>2,409</td>
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<td></td>
<td>Oologah</td>
<td>405</td>
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<td><strong>Total for District</strong></td>
<td></td>
<td><strong>3,353</strong></td>
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<tr>
<td>District No. 15</td>
<td>Claremore (15)</td>
<td>821</td>
</tr>
<tr>
<td></td>
<td>Locust Grove</td>
<td>864</td>
</tr>
<tr>
<td></td>
<td>Pryor (15)</td>
<td>867</td>
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<tr>
<td></td>
<td>Salina (15)</td>
<td>49</td>
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<tr>
<td><strong>Total for District</strong></td>
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<td><strong>2,601</strong></td>
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<tr>
<td>At Large</td>
<td>At Large</td>
<td>30,827</td>
</tr>
<tr>
<td><strong>Total for District</strong></td>
<td></td>
<td><strong>30,827</strong></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td></td>
<td><strong>71,722</strong></td>
</tr>
</tbody>
</table>
February 2019 Directors Report

Worked on election supplies, setup, and election precincts

Packed supply boxes
Started election setup setting the dates and the internal information
Made the forms precinct specific for the precinct official notebooks
Made the new information sheets for the precincts as they have come in
Ordered the 300 feet signs for the precincts
Located several new precinct polling places
Finished the street segments before the deadline of making changes before the election
Prepared for the precinct official trainings which will start on March 23
Checked and ordered all supplies needed for the election cycle
Worked on the budget for the amounts for the FY 20
2019 Election Cycle Polling Places

**District 1**
- Tahlequah
- Huilbert
- Okay
- Sequoyah High School Cafeteria
- Huilbert School Community Building
- Okay Sr. Citizens Center

**District 2**
- Tahlequah
- Lowrey
- Briggs
- Sequoyah High School Cafeteria
- Lowrey VFD
- Tri-Community (WEB) Association

**District 3**
- Tahlequah
- Keys
- Sequoyah High School Cafeteria
- Keys Community Building

**District 4**
- Fort Gibson
- Warner
- Muskogee
- Fort Gibson Community Building
- Warner School Event Center
- Three Rivers Health Clinic

**District 5**
- Sallisaw
- Vian
- Gore
- Sallisaw United Methodist Church
- Vian School BJ Traw Gym
- Gore Police & Fire Department

**District 6**
- Sallisaw
- Belfonte
- Marble City
- Muldrow
- Vian School BJ Traw Gym
- Belfonte Community Center
- Town Hall of Marble City
- Muldrow High School Cafeteria

**District 7**
- Stilwell
- Westville
- Cave Springs
- Chewey
- Wilma P Mankiller Clinic
- Westville School Cafeteria
- Lyons Switch Community Association
- NOAC Chewey Community Building

**District 8**
- Stilwell
- Westville
- Bell
- Wilma P Mankiller Clinic
- Westville School Cafeteria
- Bell Public School

**District 9**
- Jay
- Kansas
- Kenwood
- Salina
- Sam Hider Health Center
- Kansas High School Dome
- Kenwood School Cafeteria
- Salina AMO Health Clinic
District 10
Salina
Jay
Grove
Afton
Spavinaw
Pryor

Salina AMO Health Clinic
Sam Hider Health Center
Grove Community Center
Afton City Hall
Spavinaw City Hall
Graham Community Center

District 11
South Coffeyville
Vinita
Welch

South Coffeyville Community Building
Vinita Health Clinic
Welch Gateway Assembly of God Church

District 12
Nowata
Bartlesville
Skiatook

NO WE TA Community Center
HACN Keeler Heights
VFW Post 7977 Skiatook

District 13
Tulsa
Catoosa
Collinsville

American Legion Post 1
HACN Catoosa
City of Collinsville Veterans Center

District 14
Claremore
Chelsea
Oologah

HACN Claremore
Chelsea Boys & Girls Club
Oologah Assembly of God Church

District 15
Claremore
Salina
Locust Grove
Pryor

HACN Claremore
Salina AMO Health Clinic
Cherokee Elder Rainbow House
Graham Community Center

We the Commissioners of the Cherokee Nation Election Commission do hereby approve the Precinct Polling Locations for the 2019 Election Cycle.

Chairperson Shawna Calico

Vice Chairperson Pam Sellers

Secretary Carolyn Allen

Member Randy Campbell

Member Rick Doherty
IN THE SUPREME COURT OF THE CHEROKEE NATION

ROBIN C. MAYES
   Appellant,

v.

CHEROKEE NATION ELECTION COMMISSION, CHUCK HOSKIN, JR., BRYAN WARNER, & DEB PROCTOR,
   Appellee.

CASE NO.: SC-19-01

ORDER

Appellant Robin Mayes presented no evidence that the candidates Chuck Hoskin, Jr., Bryan Warner, and Deb Proctor have failed to meet the requirements of eligibility set forth in CNCA Title 26, Chapter 4.

The Court relied on the arguments of Mr. Mayes and counsel as well as the underlying record of the Cherokee Nation Election Commission.

Therefore, the Court affirms the decision of the Cherokee Nation Election Commission.

James G. Wilcoxen, Chief Justice

Lynn Burris, Justice

Lee W. Pardew, Justice
Certificate of Mailing

I, Kendall Bird, certify that on the 18th day of March, 2019, I mailed, emailed and/or faxed a true copy of the above and foregoing to the following:

Robin Mayes, mayes1839@gmail.com
Harvey L. Chaffin for Cherokee Nation Election Commission, hlcchaffin@greencountryabstract.com
S. Douglas Dodd, sdodd@dscia.com
Michael D. Parks, mike@mikeparkslaw.com

K. Bird
Kendall Bird, Court Clerk
IN THE SUPREME COURT OF THE CHEROKEE NATION

In Re: Challenge to the Eligibility of Rhonda Brown Fleming, Candidate For Chief for the 2019 General Election. )

Case No. SC-2019-02

ORDER

After proper notice, Appellant Rhonda Brown-Fleming failed to appear. This Court having considered the record below and argument of counsel for the Cherokee Nation Election Commission finds that this appeal be and is hereby dismissed. The Court further finds that the Cherokee Nation Election Commission determined Brown-Fleming not eligible as a candidate for Chief because she does not comply with the constitutional residency requirements for the office of Principal Chief.

James G. Wilcoxen, Chief Justice

Lynd Burris, Justice

Lee W. Paden, Justice

Mark L. Dobbins

3/11/2019
Certificate of Mailing

I, Kendali Bird, certify that on the 13th day of March, 2019, I mailed, emailed and/or faxed a true copy of the above and foregoing to the following:

Rhonda Brown-Fleming, rhondab7@yahoo.com
Harvey L. Chaffin for Cherokee Nation Election Commission, hichaffin@greencountryabstract.com
Marcus Thompson, marcus.i.thompson217@gmail.com
Twila Pennington, twilap@gmail.com

Kendall Bird, Court Clerk

3/11/2019
CHEROKEE NATION ELECTION COMMISSION
Shawna Calico, Chairperson
Pam Sellers, Vice Chairperson
Carolyn Allen, Secretary / Treasurer
Randy Campbell, Commissioner
Rick Doherty, Commissioner

March 12, 2019

Debra Proctor
Debproctor2018@gmail.com

Dear Ms. Proctor:

In accordance with Legislative Act 12–16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson
Cherokee Nation Election Commission
CHEROKEE NATION ELECTION COMMISSION
Shawna Calico, Chairperson
Pam Sellers, Vice Chairperson
Carolyn Allen, Secretary / Treasurer
Randy Campbell, Commissioner
Rick Doherty, Commissioner

March 12, 2019

Rhonda Brown-Fleming
rhondab7@yahoo.com

Dear Ms. Brown-Fleming:

In accordance with Legislative Act 12–16 §36 (C), The Cherokee Nation Election Commission is issuing this letter to inform you that after the investigative process was completed, your eligibility was denied for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-02.

Sincerely,

Shawna Calico, Chairperson
Cherokee Nation Election Commission
March 12, 2019

Bryan Warner
bryanhwarner@gmail.com

Dear Mr. Warner:

In accordance with Legislative Act 12–16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson
Cherokee Nation Election Commission
March 12, 2019

Chuck Hoskin, Jr.
charles.hoskin@sbcglobal.net

Dear Mr. Hoskin, Jr.:

In accordance with Legislative Act 12–16 §36 (C), The Cherokee Nation Election Commission is issuing this letter certifying your eligibility as a candidate for the Cherokee Nation 2019 General Election, based on the Cherokee Nation Supreme Court decision in CASE NO.: SC-2019-01.

Sincerely,

Shawna Calico, Chairperson
Cherokee Nation Election Commission