

IN THE DISTRICT COURT OF THE CHEROKEE NATION

FILED

2017 MAR 20 PM 2: 06

CHEROKEE NATION  
DISTRICT COURT  
KRISTI MONCOOYEA  
COURT CLERK

CURTIS SNELL, )  
 in his Official Capacity as Member of the )  
 Cherokee Nation Tribal Council for )  
 District 9 – Delaware - South )  
 Petitioner, )  
 )  
 vs. )  
 )  
 M. TODD HEMBREE, )  
 in his Official Capacity as )  
 Attorney General for the Cherokee Nation )  
 Respondent. )

CV-2017-129

**PETITION FOR DECLARATORY JUDGMENT**

COMES NOW the Petitioner, Curtis Snell, appearing *pro se*, in his official capacity as a member of the Cherokee Nation Tribal Council, and pursuant to 12 CNCA § 1201, offers the following:

1. On December 9, 2016, the Respondent issued Cherokee Nation Attorney General Opinion 2016-CNAG-03 stating that sections 1 and 3 of the Cherokee Nation Family and Marriage Act (43 C.N.C.A. §§ 1 and 3) were in violation of the Equal Protection Clause of the Cherokee Nation Constitution.
2. The Plaintiff, as a member of the Tribal Council, having voted in favor of the Family and Marriage Act, disputes the Attorney General’s interpretation of the Equal Protection Clause of the Constitution and seeks a ruling of this Court declaring the constitutionality of these provisions.

**WHEREFORE**, based upon the foregoing, the Petitioner respectfully moves this Court for an order of judgment entered against the Attorney General declaring sections 1 and 3 of the Cherokee Nation Family and Marriage Act as lawful under the Equal Protection Clause of the Cherokee Nation Constitution, and for any further relief this Court deems fair and just.

Curtis Snell

Curtis Snell

*Pro Se*

Cherokee Nation Tribal Council

District 9 – Delaware – South

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