

IN THE SUPREME COURT OF THE CHEROKEE NATION

CARA COWAN WATTS, DAVID WALKINGSTICK)
BAYLEIGH BOWMAN, ERIC BRUNER, ADDISON)
CAMPBELL, BOBBY COOK, BEVERLY LEERSKOV)
COWAN, NORMAN CROWE, KANISA DAVIE,)
MARYLOU CAROL GARNER, WAYNE GARNER,)
WAYNE GARNER, SR., LUKE HARSHAW, JAY)
HESTER, JON HORNBUCKLE, ROGER JOHNSON,)
RICHARD KELLY OLIVER, KATHERINE)
KLAWITTER, JANE MAXEY, LISA MELCHIOR,)
JOHN PARRIS, JANICE REID PATTON, EDWARD)
WAYNE PHILLIPS, CYNTHIA PRATER, SHAUNDA)
RICHARDSON, DUDLEY G. SMITH, PEPPER)
SOUTHERN, CONNIE SPENCER, DAVID J.)
STANDINGWATER, CRYSTAL STEWART, MELODY)
STEWART, PAUL THOMPSON, POLLY TYLER,)
and MARIA UMBARGER,)

SC 2025-01

FILED
OCT - 2 2025
CHEROKEE NATION
SUPREME COURT

Appellants,)

v.)

CHARLES HOSKIN, JR., Principal Chief, and)
CHEROKEE NATION TRIBAL COUNCIL, and)
JANEES TAYLOR, Cherokee Nation Treasurer,)
and CURTIES BRUEHL, DEACON TURNER,)
LYNDON EMBERTON, TERESA ADAIR, and)
SUZANNE GILSTRAP, Cherokee Nation Citizens)
Compensation Committee Members,)

Appellees.)

APPEAL FROM THE DISTRICT COURT OF THE CHEROKEE NATION
HON. T. LUKE BARTEAUX

ARGUED OCTOBER 28, 2024

For the Appellants

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Cherokee Nation

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OPINION AND ORDER OF THE COURT

This matter comes before the Court pursuant to Appellant's Petition in Error filed September 25, 2023. The Petition in Error seeks relief from an Order of the District Court filed August 24, 2023, dismissing the case for lack of standing, lack of an actual case in controversy, legislative immunity as to Appellee Cherokee Nation Tribal Council, and dismissing Appellee Chuck Hoskin, Jr., and the individual members of the Cherokee Nation Citizens Compensation Committee ("Committee") as improper parties.

The Court finds that the Order issued by the District Court properly sets forth the applicable law and rules of procedure from both federal law and the Cherokee Nation itself. Based on the applicable law, the District Court properly ruled that under this Court's precedent, the Appellants lacked standing to bring the instant suit. The District Court properly found that the allegations in the initial pleadings were insufficient for declaratory relief. Neither Appellant Hoskin Jr. nor the individual members of the Committee were charged with enacting or administering the legislation passed by the Council and challenged in the pleadings and it was proper for the District Court to dismiss them from the action. Finally, the District Court properly found the Council's legislative action in passing LA-50-2021 was protected by principles of legislative immunity.

The Court AFFIRMS the decision of the District Court of the Cherokee Nation.


IT IS SO ORDERED.


John C. Garrett, Chief Justice


Rex Earl Starr, Justice



Amy Page, Associate Judge



Mark L. Dobbins, Justice