

12.14.22 ts

in the SSM Chippewa Tribal
Court of Appeals



**SAULT STE. MARIE CHIPPEWA TRIBAL
COURT OF APPEALS**

**Austin Lowes,
Appellant,**

Case No. APP-2022-09

v.

**The Sault Ste. Marie Tribe Chippewa
Indians' Election Committee,
Appellee.**

ORDER REJECTING NOTICE OF APPEAL

A Notice of Appeal was filed by Austin Lowes on December 12, 2022. The Court **FINDS** the filing of such Notice defective pursuant to Sault Tribe Code ("STC") Chapter 82, Section 82.205(2) in that the Notice of Appeal cites the incorrect code section as the basis for the appeal, no reason for the appeal is stated and no copy of the decision by the Election Committee is attached.

Further, Section 82.204(1) affords Appellant five business days to appeal a decision of the Election Committee. This appeal was submitted on the eighth business day. Section 82.204 (2) specifically removes the discretion of this Court to grant extensions to the timeframe for appeals thus depriving this Court's ability to hear an appeal absent receipt of documentation showing when the Appellant received the decision of the Election Committee.

THEREFORE, unless the Appellant can cure the defects noted above and demonstrate timeliness through substantive evidence of the date the Appellant received the decision of the Election Committee, this Court must reject the Appeal in accordance with Tribal law.

IT IS ORDERED.

Issued: December 14, 2022

By: BIRON, Karrie, Chief Appellate Judge.

CERTIFICATE OF MAILING

I certify that on this date a copy of this order was served the parties by electronic mail on December 14, 2022.

Dated: 12.14.22

Traci L. Swan
Traci L. Swan, Court Administrator