

May 7, 2014

Isaac McKechnie
1938 E. 9th Avenue
Sault Ste. Marie, MI 49783

In Re: Appeal from Election Committee

Dear Mr. McKechnie,

The Appeal from Election Committee filed via facsimile with this court on May 6, 2014, has not been accepted for filing, due to the following:

1) The appeal was not timely filed. Tribal Code Section 82.204 provides that "(1) A notice of appeal must be filed within five business days of the Appellant receiving an adverse decision from the Election Committee.

(2) The Court of Appeals shall not grant extensions to the five day time period." Mr. McKechnie claims he received the adverse opinion from the Election Committee on April 28th. Accordingly, he should have filed the appeal within 5 business days or by May 5, 2014. The appeal was received on May 6, 2014. Tribal Code Section 82.204 precludes the Court of Appeals from granting any extensions.

3) No proof of service was filed with the Notice of Appeal. Tribal Code Sections 82.205 and 82.206 require that proof of service be filed simultaneously with the Notice of Appeal before the appeal can be docketed.

4) No filing fee was submitted with the Notice of Appeal. Tribal Code Section 82.207 requires the submission of a filing fee; and,

5) Subchapter 2 of Tribal Code Title 82 incorporates all aspects of Subchapter 1 not specifically rejected or mentioned. Accordingly, service of the Notice of Appeal is complete when mailed, not faxed per Tribal Code Section 82.131.

As such, your appeal has been rejected by the Court of Appeals.

Issued: May 7, 2014

**Court of Appeals -By: FINCH, HARPER, KRONK-WARNER, JUMP,
and NERTOLI, Appellate Judges.**