

OCT - 2 2024
Shelley Bryan
SHELLEY BRYAN

Hon. Yvonne Laird
District Judge
17th Judicial District
P.O. Box 470
Malta, MT 59538
Telephone: (406) 654-1062

MONTANA SEVENTEENTH JUDICIAL DISTRICT, VALLEY COUNTY

SARIAH RED EAGLE, TERRY
THOMPSON, JOSEPH DOLEZILEK,
ANGIE TOCE, DELANE BLOUNT, and
BRANDI LONG-WHITE,

Plaintiffs,

vs.

CHRISTI JACOBSEN, in her official
capacity as Montana Secretary of State,
ROOSEVELT COUNTY, GARY
MCDONALD, in his official capacity as
Roosevelt County Commissioner, ROBERT
TOAVS, in his official capacity as Roosevelt
County Commissioner, GORDON
OELKERS, in his official capacity as
Roosevelt County Commissioner, TRACY
MIRANDA, in her official capacity as
Roosevelt County Clerk and Recorder,
VALLEY COUNTY, MARK
ARMSTRONG, in his official capacity as
Valley County Commissioner, PAUL
TWETON, in his official capacity as Valley
County Commissioner, JOHN FAHLGREN,
in his official capacity as Valley County
Commissioner, and MARIE PIPPEN, in her
official capacity as Valley County Clerk and
Recorder,

Respondents.

No. DV-2024-101

**ORDER TO DENY MOTION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SET SHOW
CAUSE HEARING**

1 On September 30, 2024, Plaintiffs filed a *Complaint for Injunctive and Declaratory*
2 *Relief, Motion for Temporary Restraining Order and Preliminary Injunction and Motion to*
3 *Show Cause Hearing, and Memorandum in Support of Motion for Temporary Restraining*
4 *Order and Preliminary Injunction*. Plaintiffs seek a Temporary Restraining Order requiring
5 Roosevelt and Valley Counties to establish satellite offices in Frazer and Poplar, Montana to
6 allow constituents to register to vote and vote at the satellite offices. The Plaintiffs requested
7 an expedited briefing schedule that would allow this matter to be resolved prior to October 4,
8 2024. This requested schedule is simply unfeasible given the Court's calendar and does not
9 allow the other parties who were just made aware of this matter on September 30, 2024
10 adequate time to review and respond to the issues raised.

11 Plaintiffs provided no explanation why this matter was brought so late in the election
12 cycle, slightly less than a month prior to the general election. An imminent deadline is not a
13 sufficient basis for granting a temporary restraining order. Additionally, Plaintiffs have not
14 provided any information to the Court demonstrating that the resources and infrastructure
15 necessary to establish satellite offices, as requested, is even feasible in the time remaining.
16 After reviewing the pleadings, the Court finds the allegations are insufficient to grant a
17 temporary restraining order at this time. Therefore, the Court is not inclined to grant the
18 temporary restraining order but will set the show cause hearing on the preliminary injunction
19 expeditiously. Good cause appearing,

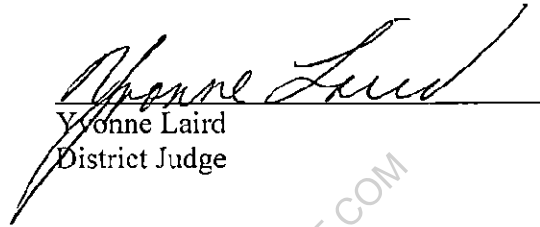
20 **IT IS HEREBY ORDERED** that:

- 21 1. The Plaintiffs' application for a Temporary Restraining Order is DENIED.
- 22 2. The show causing hearing on Plaintiffs' application for preliminary injunction
23 shall be set for **Monday, October 7, 2024 at 3:00 o'clock P.M. at the**

1 courtroom of the Valley County in Glasgow, Montana. Parties may appear
2 via Zoom: *Meeting ID: 718 425 8044 Password: 109231 Telephone: 1-*
3 *646-558-8656 or 1-406-444-9999.*
4

- 5 3. The Clerk shall send a copy of this Order to counsel of record and any
6 unrepresented party.

7 Dated this 2nd day of October 2024.

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9 
10 Yvonne Laird
11 District Judge

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1 This is to certify that a copy or copies of the foregoing document, ORDER TO DENY
2 MOTION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SET SHOW
3 CAUSE HEARING, was duly served by mail upon the attorneys of record and parties of record
4 at their addresses as shown below, by depositing the same in the United States Mail, postage
5 prepaid this 2nd day of October, 2024.

6 Cherie Old Elk, Attorney for Plaintiffs – Cheroldelk@nativeadvocates.law

7 Austin Knudsen, Montana Attorney General
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9 Thane Johnson, Thane.Johnson@mt.gov

10 Alwyn Lansing, Alwyn.Lansing@mt.gov

11 Michael D. Russell, Michael.Russell@mt.gov

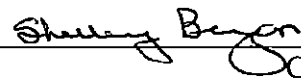
12 Michael Noonan, Michael.Noonan@mt.gov

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15 Theresa Diekhans, tdiekhans@rooseveltcountry.org

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23 Clerk of Court
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