

**LITTLE RIVER BAND OF OTTAWA INDIANS
TRIBAL COURT**

JOHN JEROME PABAMI,
Plaintiff,

Case No. 25-134-EB

Hon. Angela Sherigan

v.

LRBOI ELECTION BOARD,
Defendant.

John Jerome Pabami
Defendant
909 Davis Street
Manistee, MI 49660

Jo Anne M. Ybabien, Esq.
Attorney for Defendant
49501 Meadowwood Rd.
Oakhurst, CA 93644

ORDER AFTER HEARING ON APPEAL OF ELECTION BOARD DECISION

This matter came before the Court as an appeal of a decision of the Election Board regarding Plaintiff's challenge to the 2025 election. A hearing was held in which both parties and/or their attorneys were present¹. This order is issued later than the timeline set forth in Administrative Order 25-003, due to the impact case number 25-128-GC could have on this matter. Additionally, the parties, on the record, were advised of this and agreed to the extension of time. Two days before this hearing, the Defendant filed a Motion to Dismiss, which the Court advised that it would not hear as it is untimely filed and that this is an appeal, not a civil matter. Case No. 25-128-GC has been decided and the time for an appeal has now passed.

Plaintiff filed a challenge with the Election Board regarding the 2025 general election in which he was a candidate for Tribal Council. The allegation that has been appealed to this court from that challenge is that of election tampering/election fraud. A hearing was held by the Election Board, and a decision was rendered that was not in Mr. Pabami's favor, stating that he did not present enough evidence that the behavior/statements that he alleges are tampering and/or fraud affected the outcome of the election.

The burden in a challenge is on the challenger, and the question is whether or not what is being complained of affected the outcome of the election.

Plaintiff argues that at the April 9, 2025 Tribal Council meeting, two Tribal Council members stated that the ballots were wrong, and that this caused people not to vote in the

¹ At the beginning of the hearing the Plaintiff brought up an issue that was not part of the appeal presented to the Court. Plaintiff stated that he believes that the swearing in was done in violation of AO 25-003. AO 25-003 sets the timeline for hearing challenges in Tribal Court and does not deal with the issue of when a swearing in is to occur.

election. He states that this is election fraud and therefore the election should be overturned. The Election Board stated that they reviewed the recording of the meeting at which the statements were made.

The majority of Plaintiff's appeal to the Court was centered around the criminal charge of election fraud. This is not a criminal matter, it is an appeal from an Election Board decision regarding a challenge. The Court will not make a finding on whether or not the actions complained of rise to the level of a criminal action. As of the date of this filing, no criminal actions have been filed with the Court by the Prosecutor regarding the actions complained of. It is improper for the Court to make a determination of an allegation of criminal conduct absent a charge brought by the prosecuting attorney. The Court will only look at whether or not the action affected the outcome of the case.

The Election Board also argued that Plaintiff only provided 6 affidavits of people and that Plaintiff lost by 21 votes, thus he needed to provide 22 affidavits or people to testify at the hearing. It is also important to note that although Plaintiff argues that he did not have enough time to find people who did not vote, he was given additional time beyond the initial 5 days that he had to file the challenge. Mr. Pabami's challenge to the Election Board is dated April 28, 2025. The Election Board issued a notice of hearing on May 12, 2025 with a hearing date of May 27, 2025. He was given the opportunity to provide additional information/evidence at the hearing pursuant to the notice of hearing, which was almost one month from the date of his filing. Elections need to have finality. The Court finds that Mr. Pabami had enough time to gather additional evidence.

While the Court finds the statements made in a Tribal Council meeting by elected officials extremely disturbing, statements alone will not halt or overturn an election absent a showing that those statements somehow caused people not to vote. Mr. Pabami was unable to provide enough evidence to the Election Board that at least 22 people did not vote in the election because of the statements. The question is not whether or not those statements amounted to election tampering/fraud, the question is whether or not those statements affected the outcome of the election. The Court finds that the Plaintiff failed to show enough evidence that the statements affected the outcome of the election.

THEREFORE, IT IS HEREBY ORDERED that the Election Board's decision is UPHELD.

Dated: September 12, 2025

Angela Sherigan
Angela Sherigan (Sep 12, 2025 13:55:04 EDT)
Hon. Angela Sherigan



CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon the parties pursuant to Tribal Court Rule 4.100.

9-12-25
Date

Spring Medacco
Court Clerk/Administrator