

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

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SHANNON PAUL CRAMPTON,
Plaintiff,

Case No. 25-128-GC

Hon. Angela Sherigan

v.

LRBOI ELECTION BOARD,
Defendant.

Shannon Paul Crampton
Plaintiff
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Williamsburg, MI 49690
earlymornwalker@aol.com

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ORDER OF DISMISSAL

On May 27, 2025, the Court received a Complaint for Declaratory and Injunctive Relief.¹ The Complaint contains two allegations. First, the complaint alleges that the Election Board does not have the authority to hold the May 27, 2025, hearing, specifically that it allows challengers to gather evidence not contained in the challenge filing. Plaintiff alleges that this violates the Election Board Regulations and the Constitution. The second is an allegation of impropriety on the part of the Election Board, alleging that the decision to hold the hearing was based on the Election Board's bias against Plaintiff and that many of the people on the ballot that did not win the positions they sought were relatives of members of the Election Board.

On June 3, 2025, the Election Board filed a Motion to Dismiss the Complaint, both claims/allegations, for failure to state a claim upon which relief can be granted and/or except to the amount of damages, there is no genuine issue of material fact, of which a hearing was held on June 17, 2025, in which both parties and/or their attorneys appeared.

On June 27, 2025, the Court issued an order dismissing the second allegation. The case was to proceed for final hearing on July 1, 2025. At that hearing, the parties not being fully prepared to move forward, the Court requested that the parties brief the issue of standing.

This case is unique in that in the election challenge hearing, which is the subject of this complaint, the Plaintiff is not the challenger. The Court previously found that while what the Plaintiff is asking for is a declaration regarding a section of the Election Board Regulations, a

¹ The Court denied the Request for Injunctive Relief in its Order dated May 27, 2025.

“process” which would normally fall under election disputes, this “process” of allowing additional evidence to be presented falls after the timeline for filing a dispute. The deadline to file disputes was April 11, 2025. The notice regarding the May 27, 2025, hearing was issued on May 16, 2025. Such a strict interpretation would leave members without any recourse. The Court finds that this issue is a declaratory issue. However, the Plaintiff must still have standing to bring suit.

Both parties filed briefs on the issue. Both parties cite different cases as the standard for standing and stated their support therein. Plaintiff cites a Michigan Supreme Court Case, and Defendant cites a U.S. Supreme Court case. Neither party cited the Little River Court of Appeals cases regarding standing, *Chapman v. Tribal Council*, 08-034-AP, and *Agosa & Ossiginac v. Ogema Romanelli*, 22-037-AP, which set the test for standing in declaratory actions against public officials. The test is two-part, and each part must be met:

1. that there is a failure to perform a duty mandated by the Tribal Constitution; and
2. that there is a public harm.

Both cases cited by the parties deal with the standing issue in relation to “case or controversy.” Public harm and case or controversy are often used interchangeably, while not technically the same. Essentially, in order for the Court to hear a case, including a declaratory action, there must actually be a case or controversy. Here, the Plaintiff is not one of the challengers to the 2025 election that was the subject of the Election Board hearing held on May 27, 2025. He was however notified of the hearing on May 17, 2025, and filed with the election board his objections. He did not attend the hearing. The hearing was held and the Election Board found against the challengers. The election was certified and all winning candidates, including the Plaintiff, were subsequently sworn in to their respective positions.

There is no harm to Plaintiff within the context of the hearing, in that he was sworn in, thus there is no case or controversy, and therefore Plaintiff lacks standing.

THEREFORE, IT IS HEREBY ORDERED: This matter is dismissed.

Dated: August 11, 2025

Angela Sherigan
Hon. Angela Sherigan



CERTIFICATE OF SERVICE

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

8-11-25
Date

Spring Medacco
Court Clerk/Administrator