

FILED

IN THE SUPREME COURT OF THE CHEROKEE NATION

2007 JUL 31 PM 4: 24

IN THE MATTER OF THE WRIT)
OF THE ELECTION COMMISSION)
OF THE CHEROKEE NATION OF)
OKLAHOMA,)

CASE NO. SC-07-21

CHEROKEE NATION
SUPREME COURT
KENDALL BIRD, COURT CLERK

ORDER DENYING APPLICATION FOR WRIT OF PROHIBITION

NOW ON this 31st day of July, 2007, the Application for Writ of Prohibition filed by the Cherokee Nation Election Commission on June 20, 2007 comes on for consideration and pursuant to Rule 13 of the Cherokee Nation Supreme Court Rules, Chief Justice, Darell R. Matlock, Jr., declines to issue a notice in these proceedings and dismisses the application for the following reasons:

1. On May 18, 2007 the Honorable John Cripps entered a temporary order and temporary injunction agreed to by all the parties including the Cherokee Nation Election Commission.
2. Rule 51 of the Cherokee Nation Supreme Court Rules mandates appeals from decisions rendered by the District Court must be filed no later than 30 days after entry of the written judgment or order of the District Court.
3. The Cherokee Nation Election Commission fails to state a cause of action upon which a writ of prohibition would issue.
4. This Court will not issue a writ of prohibition in a case, where it is not justified, for the sole purpose of establishing a principle to govern other cases.

IT IS THEREFORE the Court's order that notice will not be issued and the Application for Writ of Probation is dismissed.

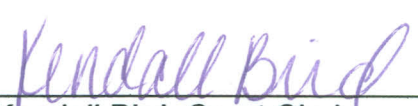


Chief Justice Darell R. Matlock, Jr.

CERTIFICATE OF MAILING

I certify that a true and correct copy of the foregoing document, ORDER DENYING APPLICATION FOR WRIT OF PROHIBITION, was mailed and/or transmitted via facsimile on this 31st day of July, 2007 to the following:

James Cosby, fax # 458-9969
Diane Hammons, fax # 458-5099
Nathan Young, fax # 456-3648



Kendall Bird, Court Clerk
Cherokee Nation Supreme Court