Filed: 10-23-26
ROUND VALLEY INDIAN TRIBES
TRIBAL COURT
77826 COVELO ROAD
COVELO CA 95428

IN THE TRIBAL COURT OF THE ROUND VALLEY INDIAN TRIBES

DOUGLAS E. HUTT JR.,
Plaintiff,

v.

ROUND VALLEY INDIAN TRIBES ELECTION BOARD,
Defendant.

Case No.: RVIT-CV-2026-0038-JW

MOTION TO DISMISS AND REQUEST TO DENY INJUNCTIVE RELIEF

Hearing Date: October 23, 2026

To the Honorable Tribal Court Judge Joseph Wisman;

The Round Valley Indian Tribes Election Board respectfully requests that the Court dismiss the complaint filed by Douglas E. Hutt Jr. on October 19th, 2026, or alternatively deny his request to stop the November 3rd, 2026 Tribal General Election.

The Election Board submits the following information for the Court's consideration.

1. Election Ordinance and Appeal Procedures

Under Section 13.01(A) of the Round Valley Indian Tribes Election Ordinance, tribal members may challenge election results by filing a case in Tribal Court within ten (10) days after the Election Board certifies the election results.

The Tribal General Election is scheduled for November 3rd, 2026, and no election results have been certified.

The Election Board respectfully requests that the Court determine whether the Plaintiff's claims are premature under the election challenge procedures.

The Board recognizes that the Plaintiff is also requesting pre-election relief and asks the Court to determine whether that request is authorized under applicable Tribal law.

2. Nomination Deadline and Candidate Verification

The deadline to submit nomination packets was August 27th, 2026.

On that same date, the Election Board voted to verify the debts and offenses of prospective candidates through tribal entities to determine whether they met the requirements of the Election Ordinance.

On September 1st, 2026, information was brought to the Election Board's attention regarding an outstanding debt associated with Douglas E. Hutt Jr. According to the information received, the debt had not been paid, and no payments had been made toward the outstanding balance.

Mr. Hutt was a prospective candidate whose eligibility was under review. His name was not included on the official list of eligible candidates for the November 3rd, 2026 Tribal General Election.

Mr. Hutt was notified of his ineligibility around the time the official candidate list was posted.

The Election Board requests that the Court consider these dates, the applicable eligibility requirements, and the supporting documentation when reviewing the Plaintiff's allegations.

3. Election Board Responsibilities

The Election Board is responsible for reviewing candidate qualifications and carrying out the election process in accordance with the Election Ordinance.

The decision to conduct additional debt and offense verification was brought before the Election Board for a vote on August 27, 2026.

The Board respectfully requests that the Court distinguish between official decisions of the Election Board and the actions or statements of individual Board members.

The Board further requests that the Court evaluate any allegations of improper conduct using the applicable ordinance provisions and supporting evidence.

4. Notice of Court Proceedings

Although the Plaintiff filed his complaint on October 19th, 2026, the Election Board did not receive information regarding this court case until the morning of October 20th, 2026 when checking the correspondence mail in the administration office.

The hearing is scheduled for October 23th, 2026, leaving the Election Board approximately two days to review the complaint, gather supporting documents, and prepare a response. During this same time, the Election Board still had to continue working on the necessary documents and preparations for the November 3rd, 2026 Tribal General Election. These responsibilities also required the Board's time and attention, making it difficult to fully prepare for the court hearing on such short notice.

The Election Board respectfully raises this concern regarding the limited notice and opportunity to prepare.

The Board requests that the Court consider whether notice and service complied with the applicable Tribal Court procedures and whether additional time is necessary to provide a fair opportunity to respond.

5. Request to Allow the Election to Proceed

The November 3rd, 2026 Tribal General Election has been scheduled, and the Election Board has been working to carry out its responsibilities under the Election Ordinance.

The Plaintiff is requesting that the Court stop the election based on disputed candidate eligibility and procedural concerns.

The Election Board respectfully asks the Court to consider the impact that stopping the election would have on tribal members and the election process.

The Board further requests that any proven procedural concern be addressed through an appropriate remedy such as requesting a mediation without unnecessarily stopping the entire election. Douglas Hutt has not yet requested mediation with the election board.

6. Request for Dismissal

For the reasons stated above, the Round Valley Indian Tribes Election Board respectfully requests that the Tribal Court:

1. Dismiss the Plaintiff's complaint if the Court determines that the claims are premature or otherwise legally insufficient under the applicable Tribal Constitution, Election Ordinance, and Tribal Court rules.
2. Deny the Plaintiff's request for a temporary restraining order and preliminary injunction if the requirements for such relief have not been met.
3. Allow the November 3rd, 2026, Tribal General Election to proceed unless the Court determines otherwise under applicable Tribal law.
4. Alternatively, if dismissal is not granted, provide the Election Board a reasonable opportunity to review the allegations, gather evidence, and respond because notice of the proceedings was not received until October 20th, 2026.

Respectfully submitted,

Round Valley Indian Tribes Election Board

Date: October 22, 2026