

# ELECTION OUTCOME CHALLENGE FORM



- Limit one (1) election challenge issue/matter per form. A challenge issue/matter is a contested issue/matter involving a distinct set of facts or a distinct legal issue.
- Any form having more than one challenge issue/matter shall be declared void and not considered a properly filed challenge and shall not be reviewed by the Court.
- An individual is limited to filing three (3) Election Outcome Challenge forms per person.
- There is a \$150.00 non-refundable filing fee for each Election Outcome Challenge form.
- Challenge form must be time stamped in by the Fallon Tribal Court to be valid.

**IN THE FALLON TRIBAL COURT  
IN AND FOR THE FALLON PAIUTE-SHOSHONE TRIBE  
FALLON, CHURCHILL COUNTY, NEVADA**

<p>_____</p> <p>CHALLENGER (type or print name)</p> <p>vs.</p> <p>_____</p> <p>RESPONDENT (type of print name)</p>	<p><b>CHALLENGE OF ELECTION OUTCOME</b></p> <p>(in accordance with Title 14, Chapter 14-110, of the Law &amp; Order Code of the Fallon Paiute-Shoshone Tribe)</p>
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**A. PERSON BRINGING COMPLAINT**

Full Name (First, Middle, Last) \_\_\_\_\_

Indicate Challenger Type     Candidate     Eligible Voter who was denied the right to vote in the election

Mailing Address \_\_\_\_\_

Telephone Information    Home \_\_\_\_\_    Cell \_\_\_\_\_

**B. PERSON/ORGANIZATION AGAINST WHOM THE COMPLAINT IS BROUGHT**

Full Name (First, Middle, Last) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Information    Home \_\_\_\_\_    Cell \_\_\_\_\_

**C. ALLEGED CHALLENGE**

Please list the alleged challenge that has been committed based on the laws set forth in Title 14 - Election Ordinance. Include accurate statement of the facts (who, what, where, when, how, and why). Attach additional pages if needed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If additional space is needed, attach additional sheets and mark this box

**D. WITNESSES**

List all names, address and phone numbers for persons who witnessed the alleged challenge (limit of three witnesses).

Witness Name (First and Last Name)	Address of Witness	Contact Number
1.		
2.		
3.		

It is solely the responsibility of the Challenger or the Challenger’s legal representative to subpoena the above witnesses. Respondents are also limited to a maximum of three (3) witnesses and it is also their responsibility to subpoena their witnesses.

**E. EVIDENCE**

List of exhibits/evidence. Label each item with exhibit number, list in the table below, and attach with the challenge form.

- Exhibit 1 \_\_\_\_\_
- Exhibit 2 \_\_\_\_\_
- Exhibit 3 \_\_\_\_\_
- Exhibit 4 \_\_\_\_\_
- Exhibit 5 \_\_\_\_\_
- Exhibit 6 \_\_\_\_\_
- Exhibit 7 \_\_\_\_\_
- Exhibit 8 \_\_\_\_\_

**F. REQUESTED RELIEF IN ACCORDANCE WITH TITLE 14**

What relief, remedy, or action is being requested?

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If additional space is needed, attach additional sheets and mark this box

**G. ELECTION CHALLENGE PROVISIONS**

By submitting this Challenge, the Challenger is aware of the following provisions of Title 14.

**14-110-010 Eligible Challengers**

- (a) Any candidate may challenge the final results of an election if they have a factual and legal basis for such a challenge.
- (b) Any Council Member may challenge the final results of a Recall Election if they have a factual and legal basis for such a challenge or the individual being recalled.

- (c) Any Eligible Voter, whose right to vote has been denied under this Title 14, may challenge the final results of a Tribal Election if they have a factual and legal basis for such a challenge.

**14-110-020 Ineligible Challenge(s)**

The following categories of election challenges shall not be allowed:

- (a) A matter involving the TEC’s recommendation to deny or Council’s denial of an individual’s candidacy or appointment pursuant to the Constitution and Bylaws of the Fallon Paiute-Shoshone Tribe, Article III, Section 4; or
- (b) Any disputes that the TEC has authority to resolve and that were resolved by a majority vote decision of the TEC during an election.

**14-110-030 Properly Filed Challenges**

- (a) Election challenges shall be submitted on an “Election Outcome Challenge Form” (Form TEF-007);
  - (1) There shall only be one (1) challenge issue/matter per form. Any form that contains more than one (1) challenge issue/matter shall be declared void and not considered a properly filed challenge and shall not be reviewed by the Fallon Tribal Court. The Election Judge shall strictly enforce this restriction. An election challenge issue/matter is a contested matter involving one set of distinct facts or a distinct legal issue;
  - (2) If a person has more than one election challenge, a separate form and filing fee shall be submitted for each election challenge.
- (b) An individual challenger is limited to three (3) election challenges per Election Season, subject to judicial review;
- (c) An individual challenger is allowed to subpoena no more than three (3) persons to serve as witnesses to that election challenge, subject to judicial review;
- (d) An individual challenger shall pay a \$150.00 non-refundable filing fee for each election challenge;
- (e) Election challenges must be submitted no later than 12:00 p.m. (noon) (Pacific Time Zone) of the fifth (5th) working day following an election and shall be time-stamped by the Tribal Court Clerk.
- (f) The Tribal Court Clerk will issue subpoenas for any witness named by the Challenger, Respondent or TEC. Each party is responsible for serving a subpoena on their own witnesses.

**CHALLENGER ACKNOWLEDGEMENT**

I affirm that the information provided by me is true and complete to the best of my knowledge. I understand that any false, misleading or untrue statements made by me, either orally or in writing, to the legal system may subject me to appropriate civil/criminal actions. I accept the premise that I will be required to attend the court hearing as a result of filing this election challenge.

*Signed and affirmed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.*

\_\_\_\_\_  
*Notarial Official or Court Clerk*

\_\_\_\_\_  
Candidate/Eligible Voter’s Signature

\_\_\_\_\_  
Date

(Notary Stamp)

FALLON TRIBAL COURT USE ONLY	
Date & Time Received _____	Court Clerk Signature _____
Rcvd by Filing Deadline: <input type="checkbox"/> Yes <input type="checkbox"/> No	