

**United States Court of Appeals**  
***For The Eighth Circuit***  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329  
**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

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[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

January 30, 2024

Scott K. Porsborg  
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122 E. Broadway Avenue  
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RE: 24-1171 Turtle Mountain Chippewa, et al v. N. Dakota Legislative Assembly

Dear Counsel:

The district court clerk has transmitted a notice of appeal and docket entries in this matter, and we have docketed them under the caption and case number shown above. Please include the caption and the case number on all correspondence or pleadings submitted to this court.

Counsel in the case must supply the clerk with an Appearance Form. Counsel may download or fill out an [Appearance Form](#) on the "Forms" page on our web site at [www.ca8.uscourts.gov](http://www.ca8.uscourts.gov).

This case has been consolidated with case number 23-3697 *Turtle Mountain Chippewa, et l. v. N. Dakota Legislative Assembly*, to the extent possible, for briefing and submission to the court.

The court has established a consolidated briefing schedule for the cases, a copy of which will be forwarded under separate notice of docket activity. Please refer to the schedule and note the key filing dates. You should also review Federal Rules of Appellate Procedure 28 and 32, as well as Eighth Circuit Rules 28A and 32A. Sample briefs may be obtained by contacting the St. Louis Clerk's office.

Within 14 days of today's date, counsel for appellant must: (1) file a verification that any transcripts needed for the appeal have been ordered and that satisfactory arrangements have been made for payment, and (2) file a notice of the method of appendix preparation selected for the case. Eighth Circuit Rule 30A contains detailed information on appendix preparation.

The court has directed the clerk's office to monitor and enforce compliance with the briefing schedule. Failure to file your brief will result in issuance of a show cause order and may lead to dismissal of the appeal. Requests for extensions of time must be timely and should establish good cause. Overlength briefs are strongly discouraged.

Please note the provisions of Eighth Circuit Rule 32A governing briefs and reply briefs responding to multiple briefs.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at the court's web site [www.ca8.uscourts.gov](http://www.ca8.uscourts.gov). In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

If you have any questions about the schedule or procedures for the case, please contact our office.

Michael E. Gans  
Clerk of Court

CBO

Enclosure(s)

cc: Philip J. Axt  
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District Court/Agency Case Number(s): 3:22-cv-00022-PDW

**Caption for Case Number: 24-1171**

Turtle Mountain Band of Chippewa Indians; Spirit Lake Tribe; Wesley Davis; Zachery S. King;  
Collette Brown

Plaintiffs - Appellees

v.

Michael Howe, in his Official Capacity as Secretary of State of North Dakota

Defendant - Appellee

North Dakota Legislative Assembly

Movant - Appellant

William R. Devlin, Representative also known as Bill Devlin; Senator Ray Holmberg,  
Representative; Senator Richard Wardner, Representative; Senator Nicole Poolman,  
Representative; Michael Nathe, Representative; Terry Jones, Representative; Claire Ness, Senior  
Counsel at the North Dakota Legislative Council

Movants

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