

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 23-3655

Turtle Mountain Band of Chippewa Indians, et al.

Appellees

v.

Michael Howe, in his official capacity as Secretary of State of North Dakota

Appellant

North Dakota Legislative Assembly, et al.

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State of Alabama, et al.

Amici on Behalf of Appellant(s)

National Congress of American Indians, et al.

Amici on Behalf of Appellee(s)

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Appeal from U.S. District Court for the District of North Dakota - Eastern  
(3:22-cv-00022-PDW)

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**ORDER**

The petition for rehearing en banc is denied. The petition for panel rehearing is also denied.

Chief Judge Colloton, Judge Smith, and Judge Kelly would grant the petition for rehearing en banc.

Judge Erickson did not participate in the consideration or decision of this matter.

July 03, 2025

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Susan E. Bindler