

## **Filing a Complaint Results in Settled Relief Providing a Voting Location on an Indian Reservation**

*Blackfeet Nation v. Stapleton*  
(Dana L. Christensen, D. Mont. 4:20-cv-95)

On the Friday night before a Columbus Day weekend, an American Indian tribe filed a federal complaint alleging that it was improper for a county not to provide a voting location on its reservation. The case was assigned to a judge on Tuesday, who set the case for hearing about a week later, but the case settled on Wednesday.

*Subject:* Absentee and early voting. *Topics:* Poll locations; early voting; absentee ballots; Covid-19.

At 7:20 p.m. on Friday, October 9, 2020, an American Indian tribe filed a federal complaint in the District of Montana against election officials for Montana and its Pondera County seeking relief from “Defendants’ refusal, despite timely requests, to establish a site that provides in-person voter registration, in-person early voting, and Election Day voting (hereinafter ‘satellite office’) on the Blackfeet Indian Reservation.”<sup>1</sup> Among the alleged challenges for reservation voters during the global Covid-19 infectious pandemic were the need to travel scores of miles to vote in person and the difficulty voting by mail from home for want of residential mail delivery.<sup>2</sup>

Receiving the case on Tuesday, after the Columbus Day holiday weekend, Judge Dana L. Christensen set the case for hearing on October 22.<sup>3</sup> On Wednesday, the tribe filed a notice of voluntary dismissal, attaching a settlement agreement specifying that the county would provide a voting location on the reservation.<sup>4</sup> Judge Christensen dismissed the action on the following day.<sup>5</sup>

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1. Complaint at 2, *Blackfeet Nation v. Stapleton*, No. 4:20-cv-95 (D. Mont. Oct. 9, 2020), D.E. 1; Hearing Order at 1, *id.* (Oct. 14, 2020), D.E. 8.

2. Complaint, *supra* note 1, at 2–3.

3. Hearing Order, *supra* note 1, at 2 (mentioning a strategic advantage created by the defendants’ not yet appearing in the case).

4. Voluntary Dismissal, *Blackfeet Nation*, No. 4:20-cv-95 (D. Mont. Oct. 14, 2020), D.E. 9.

5. Order, *id.* (Oct. 15, 2020), D.E. 10.