

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

SPIRIT LAKE TRIBE,
DION JACKSON,
KARA LONGIE,
KIM TWINN,
TERRY YELLOW FAT,
DALE RAMSEY,
LESLIE PELTIER,
CLARK PELTIER,

Plaintiffs,

v.

ALVIN JAEGER, in his official capacity as
Secretary of State,

Defendant.

Civil No. Civil No. 1:18-cv-00222-DLH-
CSM

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' *EMERGENCY* MOTION
FOR TEMPORARY RESTRAINING
ORDER**

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TEMPORARY RESTRAINING ORDER**

Upon consideration of Plaintiffs' Motion for Temporary Restraining Order, as well as the parties' briefing and oral argument, if any, this Court finds that Plaintiffs have demonstrated a need for preliminary injunctive relief in this case, and that immediate, irreparable injury will result to Plaintiffs in the absence of a temporary restraining order. Fed. R. Civ. P. 65(b); *see Dataphase Sys., Inc. v. C L Sys., Inc.*, 640 F.2d 109, 114 (8th Cir. 1981). The standard for issuing a temporary restraining order is the same standard that applies to preliminary injunctions. *S.B. McLaughlin & Co. v. Tudor Oaks Condo. Project*, 877 F.2d 707, 708 (8th Cir. 1989).

Accordingly, the Court hereby GRANTS Plaintiffs' Motion and ORDERS a TEMPORARY RESTRAINING ORDER providing that Defendant is immediately:

1. Enjoined and restrained from enforcing N.D. Cent. Code § 16.1-01-04.1(2)(b), (3)(b) requirement in the counties in North Dakota that include territory within the exterior boundaries of an Indian reservation, including Benson, Dunn, Eddy, McKenzie, McLean, Mercer, Mountrail, Nelson, Ramsey, Richland, Rolette, Sargent, Sioux, and Ward counties against voters who fall into the following categories:
 - a. voters with IDs with residential addresses that the State considers “invalid”;
 - b. voters with no access to an accurate residential address to place on a qualifying ID;
 - c. voters with no access to documentation of their residential address;
 - d. voters whose addresses are unassigned; and
 - e. voters unable to determine their address and obtain a qualifying ID before Election Day;
2. Ordered that in lieu of the proof of residential address requirement, voters that qualify for the relief above can prove they reside in the precinct by identifying where their residence is located on the precinct map;
3. Ordered to publicize this order to ensure that voters are not dissuaded from appearing at the polls because of an unlawful prior rejection or inability to meet the proof of residential address requirement;
4. Ordered to inform any voter that has been rejected because of the proof of residential address requirement that they are eligible to vote on Election Day.

This Court has exercised its discretion to determine that no bond shall be required and that this Order shall be effective immediately and shall remain in effect until November 7, 2018.

IT IS SO ORDERED.