

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

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TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS,  
*et al.*

*Plaintiffs-Appellees,*

v.

NORTH DAKOTA LEGISLATIVE ASSEMBLY,

*Movant-Appellant.*

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On Appeal from Decision of the United States District Court  
for the District of North Dakota, Case No. 3:22-cv-00022

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**APPELLEES' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE  
BRIEF**

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Pursuant to the Court's local rules, Appellees Turtle Mountain Band of Chippewa Indians, *et al.*, respectfully request that the Court extend the time for Appellees to file their brief by three weeks, from April 25, 2024, to May 16, 2024. Appellant the North Dakota Legislative Assembly is unopposed to this motion.

Counsel for Appellees have numerous litigation responsibilities in their other cases, including ongoing and forthcoming trials in federal court and Supreme Court briefing in the related North Dakota redistricting case *Walen v. Burgum*, No. 23-969. Additional time will aid Appellees in preparing their brief in this matter. Appellees respectfully request the three-week extension to best focus their arguments on appeal, and not for the purpose of delay.

April 2, 2024

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## CERTIFICATE OF COMPLIANCE

This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5)(A) as it uses the proportionally spaced typeface of Times New Roman in 14-point font.

This motion complies with the type-volume limitation of Fed. R. App. 27(d)(2)(A). This motion contains 120 words.

The electronic version of the foregoing motion submitted to the Court pursuant to Eighth Circuit Local Rule 28(A)(d) was scanned for viruses and that the scan showed the electronic version of the foregoing is virus free.

Dated this 2nd day of April, 2024.

/s/ Mark P. Gaber  
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*Counsel for Appellees*

## CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2024, I electronically submitted the foregoing motion to the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit for review by using the CM/ECF system and that ECF will send a Notice of Electronic Filing (NEF) to all participants who are registered CM/ECF users.

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