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Cayuga Nation Takes Legal Action in Federal Court to Confirm Sovereignty and Jurisdiction of Nation Court

Seneca Falls, NY – September 6, 2024 – The Cayuga Nation has commenced litigation in the United States District Court for the Western District of New York to seek a declaration that the ongoing stays of Nation Court matters by an acting Justice Porsch of the New York State Supreme Court, Seneca County are illegal and outside of the State Court's jurisdictional powers. The Nation is also filing a motion requesting a preliminary injunction to prevent the State Court from continuing to interfere in Nation Court matters while the Federal court case proceeds. The Nation aims to prevent state court interference in its internal affairs, asserting that the state court's temporary restraining orders (TROs) which prevent the enforcement of the Nation court eviction orders, overstep legal boundaries and infringe upon the Nation's sovereignty.

The case originates from eviction orders issued by the Cayuga Nation's court against certain Nation members for violations of tribal law related to on-reservation property. The defendants are Nation citizens residing in Nation owned houses and refusing to pay rent. The Nation Court, after full due process was provided, granted eviction orders for two of the properties. And, acting Seneca County Supreme Court Justice Porsch, with no opportunity for the Nation to appear, issued temporary restraining orders barring enforcement of the Nation Court eviction orders. The Nation maintains that the state court lacks jurisdiction to intervene in these matters, which are clearly within the Nation Court's purview.

As the Nation's federal court complaint sets forth:

State courts have no authority to interfere with a tribe's exercise of sovereign authority under the circumstances presented here—a judgment in tribal court, obtained under procedures set forth under tribal law, involving a quintessential tribal dispute between the Nation and one of its own members. Not only do Justice Porsch's TROs illicitly call into question the validity of an intertribal judgment applying tribal law to a dispute between tribal parties, it goes further and purports to *prohibit* the Nation—a sovereign entity—from enforcing its own judgments.

"The state court's actions demonstrate a concerning and unacceptable disregard for the Nation's inherent right to self-governance," stated Clint Halftown, Cayuga Nation Federally Recognized Representative. "The Nation is resolute in our commitment to defend our sovereignty and ensure our ability to uphold our own laws within our Reservation."

Representative Halftown went on to explain: "The Nation has an explicit right to establish its own court system to adjudicate disputes under Nation law. Federal courts have limited jurisdiction to review Nation court decisions, but State courts have none. In fact, a Federal court judge recently referred a matter back to Nation court because the defendant had not followed the Nation court processes. Justice Porsch's actions completely trample on the Nation's sovereignty and we are forced to take this action in Federal court to protect the Nation's rights to self-government.

The Cayuga Nation seeks to have Federal Court recognize the state court's overreach and affirm the Nation's right to govern its own affairs. The Nation remains dedicated to protecting its citizens and preserving its sovereignty and 64,015 acre Reservation for future generations.