



**Contact:** Karen Francis, Judicial Liaison Officer  
Administrative Office of the Courts  
JUDICIAL BRANCH OF THE NAVAJO NATION  
Office: 928-871-7018  
Facsimile: 928-871-6761  
E-mail: [karenfrancis@navajo.org](mailto:karenfrancis@navajo.org)  
<http://www.navajocourts.org>

---

**FOR IMMEDIATE RELEASE**

**DATE: Wednesday, January 5, 2011**

### **NAVAJO NATION SUPREME COURT REVERSES OHA DECISION IN PLATERO ELECTION CHALLENGE**

WINDOW ROCK – The Navajo Nation Supreme Court, in a memorandum decision issued Monday, Jan. 3, reversed the decision by the Office of Hearings and Appeals that invalidated the unofficial general election results for the Alamo chapter and ordered the Navajo Election Administration to immediately certify the election results.

Lawrence Platero, who challenged the results for Council Delegate, had lost the general election by 153 votes. Twenty-three voters did not vote in the Alamo chapter because of a ballot shortage that occurred at 6:47 p.m. at the Alamo chapter, 13 minutes before the polls officially closed. Although the names of the 23 individuals waiting in line were taken down, these individuals were not subsequently given the opportunity to vote.

The Court stated that it did not condone the disenfranchisement of the right of any voter to vote. However, the burden is on Mr. Platero to prove that the election results would have been different if not for the ballot shortage at Alamo. The number of individuals who did not vote, though, was not numerically significant to impact the outcome of the election.

Mr. Platero had additionally asserted that the Alamo officials' hand tally of the ballots when the machine ran out of tally tape was not in compliance with proper procedure. However, polling officials testified that a hand count was required under the Election Code.

On Dec. 28, 2010, the Supreme Court also reversed the Office of Hearings and Appeals invalidation of the election results for Birdsprings and Tolani Lake chapters in an election challenge brought forth by Leonard Chee.

The opinion for *Chee v. Navajo Election Administration, No. SC-CV-67-10*, and the memorandum decision for *Platero v. Navajo Election Administration, No. SC-CV-68-10*, are available on the Judicial Branch of the Navajo Nation website at [www.navajocourts.org](http://www.navajocourts.org).

###