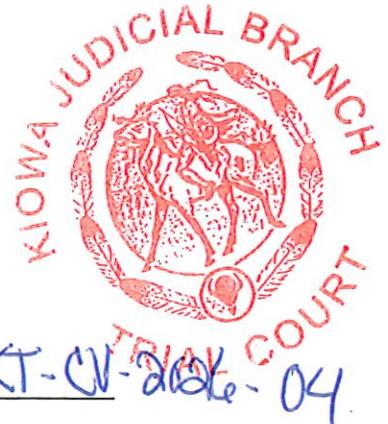


FILED
FEB 26 2026
D. B. ...
KIOWA TRIBE TRIAL COURT

In the Trial Court of the Kiowa Tribe
at
Carnegie, Oklahoma



CHAIRMAN, LAWRENCE SPOTTEDBIRD)
)
Plaintiff,)
)
vs.)
)
KIOWA TRIBE LEGISLATURE; MICHAEL)
PRIMUS II, in his official and individual capacity;)
TIMOTHY SATEPAHOODLE, in his official)
and individual capacity; **COLE DELUANE**, in)
his official capacity and individual capacity; **KYLE**)
ATADDLETY, in his official and individual)
capacity; **TIYA ROSARIA**, in her official and)
individual capacity; **BEN LUCERO**, in his official)
and individual capacity; **WARREN QUETON**,)
in his official and individual capacity.)
)
Defendants.)

Case No. KT-CV-2026-04

**COMPLAINT FOR TEMPORARY RESTRAINING ORDER AND/OR INJUNCTIVE
AND DECLARATORY RELIEF**

INTRODUCTION

Comes Now Plaintiff, filing this action to seek protection from the Defendants' attempt to impeach him from office without due process under the Kiowa Tribe's Constitution. The Defendants' set a hearing date on March 2, 2026, without the required protections of the Kiowa Tribe Constitution. The Plaintiff seeks a declaration and injunction against the Defendants' unlawful impeachment proceedings and the resulting irreparable damage imminent from such illegal actions.

PARTIES

1. Plaintiff Lawrence Spottedbird is the elected Chairman of the Kiowa Tribe pursuant to its duly adopted Constitution and is subject to the jurisdiction of the Tribe and its Courts. The Plaintiff exercises executive authority pursuant to Article VII, §4 of its Constitution, adopted April 17, 2017.

2. Defendant Kiowa Tribe Legislature is one of four branches of government, organized under Constitution and the laws of the Kiowa Tribe. Defendant Legislature and Legislators include seven members, Kyle Ataddlety, Michael Primus II, Tia Rosaria, Cole DeLaune, Warren Queton, Ben Wolf, and Timothy Satepahoodle.

3. Defendants, upon information and belief, are responsible for initiating and administering the impeachment process pursuant to Article XII, §3 of the Kiowa Tribe Constitution. The Defendant legislature and Legislators are sued in their official and individual capacity.

JURISDICTION

4. The Constitution of the Kiowa Tribe provides this court jurisdiction over this action under:

- a. Article I § 1(f) (Employee right to due process)
- b. Article X § 4 (Suits against the Legislature and Legislators for exercising executive functions expressly authorized by the Constitution, i.e. Article XII §3);
- c. Article VIII. § 5 (Jurisdiction).
- d. Article VIII. §6 (Powers and Duties)

5. The sovereign immunity of the Kiowa Tribe Legislature and Legislators, including is waived for the purposes of this action pursuant to Article X § 4 of the Kiowa Tribe Constitution.

6. Venue is proper in this Court under Article VII § 5(a), as it is the Court of original jurisdiction for all cases and controversies under the Constitution and laws of the Kiowa Tribe,

including cases where the Tribe, its officials, and employees are a party.

GENERAL ALLEGATIONS

7. On February 14, 2026, the Defendants met and passed resolution titled “Legislative Order KLO-CY-009.” The resolution set impeachment charges against the Plaintiff for trial to be held on March 2, 2026. The resolution provides Plaintiff with ten (10) business days to prepare for impeachment trial.

8. The resolution expressly mentions that the hearing scheduled for March 2, 2026, is a “formal trial.”

9. During the February 14, 2026, Legislative Session, the Defendants adopted impeachment Rules and Procedures.

10. The Kiowa Tribe Constitution (“Constitution”) places authority to impeach the Chairman and Vice-Chairman pursuant to Article XII §3. Any such impeachment initiated and carried out by the Defendants must be administered pursuant to Article XII §3 of the Kiowa Constitution.

11. The action taken pursuant to this resolution is not consistent with the due process requirements of Article I §1(f), (g), and (k) of the Kiowa Constitution, regarding property rights and due process rights for impeachment proceedings against the Chairman of the Tribe.

12. Rule 3(a) of the Rules and Procedures adopted by the Defendants in Legislative Order KLO-CY-009 specifically calls out the Plaintiff by name. A Legislative Order carries the weight of law. A Legislative Order in the form of Impeachment Rules and Procedures should be agnostic as to the person or persons under impeachment. The Legislative Order adopting Rules and Procedures for Impeachment specifically naming the Plaintiff equates to a Bill of Attainder and is unconstitutional under Article I §1 (f) and (k) of the Kiowa Constitution. A Bill of Attainder against the Plaintiff denies him opportunity under the law and/or denies him liberty and/or property

without due process of law.

13. Rule 7(b) of the Rules and Procedures adopted by the Defendants for this specific trial, disqualify Defendant legislators from being called as a witness. Such a rule violates Plaintiff's right to call witnesses as provided in Article XII §3 of the Constitution and is therefore, invalid as Plaintiff intends to call one or more Defendants as witnesses.

14. The impeachment Rules and Procedures adopted by the Defendants on February 14, 2026, do not contain any "adequate notice" provisions as required by Article XII §3 of the Kiowa Constitution. The omission of notice requirements allowed the Defendants to provide Plaintiff with only ten (10) business days to prepare and present a proper defense. Such omission violates the Constitution and renders the impeachment Rules and Procedures invalid.

15. Article VI, §6(c) states that the Legislature, can upon reasonable notice, convene to consider and pass Legislative Orders. Plaintiff alleges that the Defendants did not provide the Plaintiff or other tribal members notice that Defendants were considering impeachment charges and the adoption of impeachment Rules and Procedures together on the same day at the same meeting. Such action deprived the Plaintiff and other tribal members the right to be present at the meeting for such purpose and violates Article VI §6(c) of the Constitution.

16. Plaintiff is informed and believes, and upon that basis alleges that Defendants, their staff, and persons working in concert with them, continue to authorize, approve, and allow activities regarding the impeachment process of the Plaintiff without basic protections required by the Kiowa Constitution.

17. Plaintiff is informed and believes, and upon that basis alleges that Defendants, their attorneys and subordinates, and persons working in concert with them, intend and will continue to implement an impeachment process in an arbitrary and capricious manner providing insufficient notice to prepare and present a defense thereby denying his right to a fair and impartial trial.

18. Plaintiff is informed and believes, and upon that basis alleges that Defendants, their attorneys and subordinates, and persons working in concert with them, intend and will continue to implement an illegal impeachment process thereby causing and will cause; loss of employment, irreparable harm to the Plaintiff's reputation and livelihood, and irreparable harm to the Kiowa Tribe.

CLAIM FOR RELIEF

IMPEACHMENT PROCESS INITIATED BY THE DEFENDENTS WITHOUT ADEQUATE NOTICE TO PLAINTIFF VIOLATED ARTICLES 1 §1(f),(g), (k), VI §6(c), AND VII §3 OF THE KIOWA CONSTITUTION

19. Plaintiff re-alleges each of the allegations set forth in Paragraphs 1-18 above, and by this reference incorporates each such allegation herein as if set forth in full.

20. The impeachment of the Chairman will be performed with inadequate safeguards regarding notice and due process. The standard of proof set forth in Article XII §3 of the Kiowa Tribe Constitution is "beyond a reasonable doubt." This standard is the highest standard of proof in American criminal courts. None of the actions taken by the Defendants has comported with reasonable notice and due process for a trial where the standard of proof is equal to the criminal trial standard.

21. Under basic standards of fairness and reasonableness, ten (10) business days to receive notice, find counsel, identify witnesses, perform discovery, conduct pretrial scheduling, prepare for trial, does not constitute proper notice under the Article XII §3 of the Kiowa Constitution.

22. The Defendants conducted hearings back in October 2025 to develop their impeachment case against the Plaintiff.

23. The actions of Defendants to allow only ten (10) business days to prepare and present a defense, nullified the adequate notice rights of the Plaintiff pursuant to Article XII §3 of

the Kiowa Tribe Constitution, and as such, were illegal.

24. The Defendants and persons working in concert with them, will continue to act in excess of their authority and in derogation of the Plaintiff's rights regarding the initiated timeline of the impeachment process.

25. The above-described actions of Defendants deprive the Plaintiff of its ability to prepare adequate defense to the impeachment charges resulting in immediate and substantive economic and reputational harm if convicted.

26. The constitutional requirement regarding the impeachment of the Chairman requires that the Defendants provide notice to the Plaintiff in such manner and amount of time to allow the Chairman to obtain counsel, identify witnesses, conduct discovery activities to obtain documents and develop witness testimony, to develop legal and evidentiary strategies, and prepare an overall defense.

27. The Defendants conducted legislative hearings starting in October 2025 to investigate the Plaintiff and ultimately filed articles of impeachment against the Plaintiff on February 14, 2026.

28. The Defendant's have not explained nor demonstrated an emergency or an immediate need to remove Plaintiff from office.

29. The Defendant's nor the Kiowa Tribe will be harmed by postponing the impeachment trial to allow Plaintiff to prepare a proper defense.

30. The Plaintiff as the Chief Executive of the Tribe pursuant to its duly adopted Constitution is entitled to reasonable notice to prepare an adequate defense to an impeachment hearing.

31. The Kiowa Tribe and its Tribal Council will be harmed if its majority pick of tribal Chairman is summarily impeached and removed from office without giving the Chief Executive

of the Tribe a fair impeachment trial upon adequate notice to prepare and present a proper defense.

32. The above-described actions of Defendants deprive the Plaintiff of his ability to maintain his employment, his duly elected position, and his perform his duties, resulting in immediate and substantive economic and social harm to the Plaintiff and to the Kiowa Tribe.

33. Based on the above, Plaintiff demonstrates that (1) he is likely to succeed on the merits, (2) he will suffer irreparable harm without the restraining order and/or injunction, (3) the balance of equities tips in Plaintiff's favor, and (4) a restraining order and/or injunction is in the public interest of the Kiowa Tribe.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF PRAYS AS FOLLOWS:

Pursuant to the Claims for Relief above:

1. That the Court issue a judgment in favor of Plaintiff and against Defendants declaring that the impeachment process is invalid and without affect.
2. That the Court issue a judgment declaring that the impeachment Rules and Procedures invalid and without affect.
3. That the Court issue a judgment in favor of Plaintiff and against Defendants that preliminarily enjoins the Defendants, from impeaching the Plaintiff as Chairman of the Kiowa Tribe without providing adequate notice and due process.
4. That the Court issue judgment that the impeachment process provide up to ninety days' time in which to allow the Chairman to prepare his defense, including identifying witnesses;
5. That the Court award Plaintiff court costs of suit.
6. That the Court allow Plaintiff, as the duly elected Chairman, to use any and all Kiowa Tribal resources, including the Attorney General of the Executive Branch, to defend this office as Chairman of the Kiowa Tribe against the Legislative action as they have utilized all

Kiowa Tribal resources, including the Legislative attorneys, to initiate this action.

7. That the Court grant Plaintiff such other relief that this Court deems just and proper.

Respectfully submitted this 26th day of February 2026:

A handwritten signature in blue ink, appearing to read "L. Spotted Bird", is written over a horizontal line.

Lawrence Spotted Bird, Kiowa Chairman
100 Kiowa Way
Carnegie, OK 73015
Telephone: 580-919-9825
Email: Lspottedbird@kiowatribe.org



KIOWA TRIBE

P.O. Box 369 • Carnegie, Oklahoma • 73010
Phone: (580) 654-6338 • Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE



LEGISLATIVE ORDER SESSION III-(3)
February 14, 2026, 1:00 p.m. - [Via-Zoom](#)

AGENDA

I. CALL TO ORDER:

II. INVOCATION:

III. ROLL CALL:

District 1 Kyle Ataddlety
District 2 Michael Primus
District 3 Timothy Satepauhoodle
District 4 Cole DeLaune
District 5 Tiya Rosario
District 6 Ben Wolf
District 7 Warren Queton

IV. APPROVAL OF AGENDA:

V. NEW BUSINESS:

1. KLO-CY-2026-009 Impeaching Lawrence Spottedbird, Chairman of the Kiowa Tribe.

VI. ADJOURN:



**Kiowa Tribe October 2025 Legislative Inquiry Hearings Final Report
and Supporting Materials Citations**

February 14, 2026

LEGISLATURE OF THE KIOWA TRIBE

Michael Q. Primus II, District 2/Zoltone, *Speaker*
Kyle Ataddlety, District 1/Ah-Kaw-Lay
Timothy Satepauhdoodle, District 3/DoHay-day
Cole Kickingbird DeLaune, District 4/Qop-aydle
Tiya Tanequodle Rosario, District 5/P'au-aydle
Ben Lucero Hovakah Wolf, District 6/Qocai P'au
Warren Queton, District 7/Cauigu

LEGISLATIVE STAFF

Tracy D. Harris, Administrator
Jason B. Aamodt, Counsel
Dallas L. D. Strimple, Counsel

PRELIMINARIES

On Tuesday, October 28, 2025, the Kiowa Legislature initiated a sequence of inquiry hearings focused on the fiscal welfare of the Tribe following the service of subpoenas for document production and testimony to four Executive Branch officials three months prior in July. Richard McMahon, currently the Chairman of the Kiowa Casino Operations Authority Board of Directors, appeared before the Legislature on the first day of proceedings. Lawrence SpottedBird, Kiowa Tribe Chairman, testified on Wednesday, October 29. Finally, Marland Toyekoyah, Executive Director of Tribal Operations, and William Weaver, Tribe Treasurer/Chief Financial Officer, fielded interrogatories from the Legislature throughout the third and last day of the hearings on October 30. All subpoenaees answered questions under penalty of perjury.

Convened by a unanimous vote of all seven legislators, these interviews encompassed a varied but intersecting array of topics pertaining to the stewardship of Kiowa Tribe finances under Chairman SpottedBird's administration. All testimony was livestreamed via Zoom in the interests of comprehensive public awareness. Legislative chambers at Red Wolf Hall were open to any Member of the Tribe who wished to attend in person. Records cited in discourse were made publicly available on the legislative website¹ and remain accessible through the same platform.

In the immediate aftermath of the hearings, emotionally charged and misleading hyperbole from some of those subpoenaed percolated on social media, and on November 1, the Chairman took to Facebook Live to characterize a legislative process conducted pursuant to the Constitution and Tribe law as an expression of spiritual evil, declaring, "Satan is terrible. He always fights us when we're trying to do good." In the same address, the Chairman also sought to inflect his narrative of a cosmic religious battle with the argument that queries concerning his management of collective Tribe dollars automatically constitute impertinence: "It's no good ... the core value of Cauigu is 'respect our elders,' and I'm all their elders."

The Legislature rejects the idea that any elected officeholder of the Tribe is inherently above reproach. In accordance with foundational cornerstones of the Tribe's democratic model of government, officials are beholden and obligated to serve the Cauigu people. As such, the October hearings and related undertakings of the Legislature – including the data points distilled herein – are fundamentally about three simple questions:

- 1, Is it reasonable to expect the Chairman, as chief executive of the Tribe, to answer questions regarding his use – and/or misuse – of Tribe monies?
2. Is it reasonable to expect the Chairman, invested by the Constitution with the responsibility to implement the laws of the Tribe, to follow those laws himself?

February 1st deadline, legislative analysis of his draft identified a glaring omission: line-itemized funding allocations for Kiowa, Inc. This exclusion was confounding; any casual listener tuning into the Kiowa Talk radio program on which the Chairman delivers weekly radio addresses is familiar with the frequent references to what the Executive Branch touts as the marquee economic development venture of the Tribe. The obvious mystery: how can the Tribe stand up Kiowa, Inc., without any monetary support for its operations delineated in the Annual Budget? In a private conference with the Legislature on April 4, 2025, the Chairman asserted that an indeterminate volume of ARPA monies had been earmarked for the enterprise. The Executive Branch's position had shifted diametrically by May 20, when Tribe Chief Financial Officer William Weaver stated that no formal budgets nor banks accounts for Kiowa, Inc., existed at that time. Upon a follow-up request from the Legislature for confirmation of those data points in writing, Mr. Weaver declined on the premise that "involvement" from Chairman SpottedBird in the transmission of such verification would ensure "accurate oversight and the most authoritative response." Finally, in an ensuing discussion with the Legislature on May 28, 2025, senior Finance staff including Mr. Weaver conveyed that, in fact, \$200,000 from the federal Local and Tribal Consistency Fund program had already been seeded in Kiowa Farms, Inc., and Kiowa Ranch, Inc., and that the prospective intent of the Executive Branch was to leverage an additional \$1.5 million from the LATCF pool to springboard holistic Kiowa, Inc., growth in the forthcoming 2025 – 2026 Fiscal Year. The Legislature asked for a line-itemized deconstruction of how that \$1.5 million would be applied. To date, after advancing three different narratives about the source funding for Kiowa, Inc., in as many months, the Executive Branch has supplied no such line itemization.

These are not isolated examples. Amid intensifying resistance by Chairman SpottedBird and his team to divulging even baseline details germane to the financial state of the Tribe, the Legislature availed itself of recourse via the most rational avenue: Tribe law. Kiowa citizens can chart the historical contexts comprising the prologue to the inquiry hearings by referring to public statements released by the Legislature on April 1, May 25, July 13, July 17, and October 10. These updates chart the disengagement of the Executive Branch from meaningful dialogue about Tribe financial affairs; the consequent service of the July subpoenas; and the calendaring, formatting, and regulatory architecture developed for the testimonies.

At the hearings, questioning of witnesses was led in rotation by Speaker Michael Q. Primus II, District 7 Legislator Warren Queton, District 5 Legislator Tiya Tanequodle Rosario, and District 4 Legislator Cole Kickingbird DeLaune. Roughly thirteen (13) hours of footage reflecting the totality of the October proceedings can be viewed on the

FINDINGS I
LEGAL MISCONDUCT:
VIOLATIONS OF THE KIOWA CONSTITUTION AND TRIBE LAW

1.1 The Indian City Screen Printing Catastrophe: Economic Negligence and Wanton Disregard for Tribe Assets

No honest evaluation of the financial well-being of the Tribe is possible sans thorough consideration of the undertaking that hemorrhaged \$448,294.19 of Kiowa monies across the span of approximately eighteen months: Indian City Screen Printing (ICSP). To contextualize this volume of money, Cauigu may wish to keep in mind that the earmark for Emergency Assistance resources to serve Members of the Tribe at large in the Budget Modification created by Chairman SpottedBird during Fiscal Year 2023 – 2024 totaled \$438,000.

In his testimony on October 29, the Chairman did not dispute the accuracy of accounting maintained by Tribe Deputy CFO Summer Palmer reflecting that ICSP generated a mere \$10,699.00 in total revenue between July 1, 2022, and December 15, 2023, and only sold a total of seven orders in an isolated two-and-a-half month period from August 10, 2023, to October 31 of the same year. The PDF file containing the preceding numerical data also includes a handwritten notation that reads, “Budget was only \$300,000 But spent \$458,993.19”. Those harrowing numbers notwithstanding, the Chairman testified that he would have poured even more Tribe funds into the languishing “business” had he not been stopped by the Legislature.

Beyond those troubling topline logged in a record entitled “Posted General Ledger Transactions – Summer’s GL Transaction Report,” the Chairman’s responses to clarifying interrogatories from the Legislature are cause for even greater disquietude. He stated that he had hired Hollis Asenap, a former brother-in-law, to helm operations of the company but, despite routine check-ins with Mr. Asenap, no business plan was ever completed by the Chairman’s own account. In the absence of that critical budgetary mechanism, Mr. Asenap was rewarded with take-home pay at a rate in excess of \$75,000.00 per annum and was allowed to park his personal RV at the physical site of the ICSP headquarters as well as use utilities pirated from same location.

More bizarrely still, Chairman SpottedBird could not explain why approximately \$60,000 to \$70,000 of T-shirts remained unused upon ICSP’s closure or exactly where that stock can currently be found. In the testimony he provided to the Legislature, the Chairman acknowledged no inventory on the leftover T-shirts has ever been conducted and suggested that indeterminate quantities may have been stolen.⁶ No meaningful oversight, operational controls, or responsible custodianship of Tribe property and money were ever implemented by the Chairman in conjunction with ICSP.

Review of Resolution No. KL-CY-2022-019, cited via short title as the Kiowa Tribe First Budget Modification for Fiscal Year 2022-2023,” illuminates infractions of Tribe law on the part of the Chairman in his reckless abuse of Tribe assets and

In ensuing testimony, Tribe Treasurer/Chief Financial Officer Weaver offered bracing counterpoints to the Chairman's implausible portrayal of the \$50,000 unrestricted patronage of Mr. Nuncio as standard business practice. With approximately three decades of expertise under his professional belt, Mr. Weaver conceded that the payments to Nuncio – which were transmitted between five to two months prior to Weaver's onboarding into the CFO spot – would not be consistent with Tribe policies in place today. Furthermore, Mr. Weaver clarified that he would not have processed the payments in the absence of any meaningful "expectations" outlined per the June 2023 letter from Chairman SpottedBird to Nuncio but instead would have implored the parties to modify the written parameters with explicit terms before any expenditure from the Tribe was rendered. Specifically, Mr. Weaver indicated that a memorandum of understanding that identifies key performance indicators and scope of work is typical when an entity makes an outlay of the size and nature issued by Chairman SpottedBird to Mr. Nuncio. The Chairman, Mr. Weaver testified, is the person who bears ultimate culpability for these deviations from conventionally accepted procedure.¹¹

Notwithstanding Chairman SpottedBird's contention that he is unilaterally empowered to cherry pick Kiowa citizens on whom to shower Tribe dollars, the Constitution is unequivocal in the following prohibition: "No expenditure shall be made unless included in an approved budget." The Finance Department Reform and Accountability Act of 2017 (Sponsor: Renee M. Plata, former Speaker of the Legislature) further stipulates: "Any expenditure of the Tribe's funds without proper authorization and appropriation shall constitute a civil violation ..." Similarly, the Fiscal Procedures Act of 2017 (also sponsored by former Speaker Plata) provides, "No expenditure shall be made unless included in the effective Budget."

Kiowa code is unambiguous that all Tribe monies must be appropriated by law and spent in accordance with the intent and purpose of same appropriation. Money housed in the accounts of the Tribe is the people's money and tribal officials have the highest fiduciary duty to safeguard those funds for all Kiowas, not create monetary windfalls for a select few Members of the Tribe.

While the respective Modified and Annuals Budgets in effect at the time of the disbursements to Mr. Nuncio contained items to spur economic growth for the Tribe, nowhere in same budgets were monetary giveaways to favored Tribe citizens authorized. There is no question that Chairman SpottedBird violated both the Constitution and Tribe law.

1.3 Misappropriation of Tribe Monies for Nominal Sponsorships in Abrogation of Tribe Law

In its July 2025 subpoena to Chairman SpottedBird, the Legislature requested production of, "All documents and communications between You and any KCOA Board Members/Directors, Kiowa Casino CEO Robert Dimmick, Kiowa Casino COO Darius McGee, or Kiowa Casino CFO Steve Abangan regarding any expenditure issued by the Casino on behalf of the Tribe or You to any community organizations, non-profits,

Signed into effect by Chairman SpottedBird himself on August 14 of its titular year, the Kiowa Tribe Sponsorship Act of 2024 stipulates:

Kiowa Casino sponsorships shall have an approved budget and be processed through the Executive Branch and approved by the Chairman. The Chairman shall submit to the Legislature a quarterly report of all approved Kiowa Casino Sponsorships. Anything above the limits of this bill/law shall be ratified by the Kiowa Tribe Legislature, through a Legislative Order.

Monetary limits in the statute cap at \$10,000. However, such prohibition did not deter the Chairman from steering \$25,000 of casino funds to a golf tournament that he testified yielded an approximately \$5,000 net loss on investment. Nor did the protocols mandated by Tribe law dissuade him from ordering the casino to find \$100,000 for Rainy Mountain Kiowa Indian Baptist Church within five days of its destruction from an electrical fire. During the October hearings, Chairman SpottedBird asserted of same transmission, “It was a direct request from me to support Rainy Mountain ... **and I know that’s over and above** but, sometimes, things come up and I make a decision ...” Later, he reiterated, “I stand by that decision.” While the impulse to aid an historical Kiowa church is understandable, the Chairman cannot pick and choose when he fulfills his constitutional obligation to “execute, administer, and enforce” laws. Yet more disquietingly, Chairman SpottedBird confessed that he could not cite the monetary amounts allocated in “an approved budget” for Kiowa Casino sponsorship as required in statute.

The Kiowa Casino Operations Authority Charter Act of 2023 and its First Amendment from 2025 locate the KCOA Board of Directors under the umbrella of the Executive Branch of the Tribe, a hierarchy echoed in the Chairman’s own organizational charts. The Board, in turn, is responsible for appointing a CEO and other officers. There can thus be no doubt that the proverbial buck for legal compliance in the Tribe’s gaming enterprise stops with the Chairman. And there can likewise be no confusion that this is a mandate of his office that Chairman SpottedBird has chosen to overlook.

1.4 Abuse of Tribe Credit Cards for Purchases Made By or Completed on Behalf of Lanie Mae SpottedBird

Over the course of document production and testimony, Chairman SpottedBird established that, on at least two discrete occasions, Tribe funds have been expended for the personal benefit of his spouse, Lanie Mae SpottedBird. Mrs. SpottedBird occupies no formal role within and is not employed by the Tribe. With respect to the first of the aforementioned instances, the Chairman corroborated assertions made by Rosemaria Tijerina Garza, a one-time staffer in the Tribe Finance Department, that Mrs. SpottedBird made purchases of personal items of an indeterminate monetary amount at Costco on a Kiowa Tribe credit card.¹³ In the second instance, both the Chairman (through oral testimony at the October hearing) and his counsel Randal Homburg (through written digital correspondence to the legislative attorney) attested that Tribe funds had been spent

through December 2025. No explanation was supplied for the months missing in this sequence. The Chairman himself never provided any documentation at all, thus failing to comply once again with Tribe law as codified in The Law-Making and the Production of Documents and Testimony Act of 2017 as well as its First Amendment.

1.6 Illegal Use of Former Vice-Chairman Tsoitigh's Signature on Tribe Checks

On or around May 27, 2025, the Chairman initiated an effort to purchase a building – formerly the physical plant of the shuttered Indian City Screen Printing start-up where Hollis Asenap, Chairman SpottedBird's former brother-in-law, had squatted in his RV – located at 804 West Petree Road in Anadarko. Subsequently, the Legislature learned not from any direct communication from the Chairman but, rather, from his weekly radio and social media addresses that he planned to house a clinic and pharmacy originally slated to be developed in Carnegie at the Petree Road property. The Executive Branch provided no detailed budget for the prospective business nor other required elements mandated by Tribe law through the Economic Due Diligence Act of 2018 (Sponsor: Modina Waters, former District 7 Legislator) but instead forwarded two PowerPoint presentations authored by a company called Aambé Health. Amid further research, it came to the attention of the Legislature that the Chairman had already contractually obligated and submitted a check for \$14,500 in “earnest money” to Caddo County Abstract Co, Inc., without any legislative ratification for the expenditure. More disconcertingly, the check in question reflected sourcing from federal funds while emblazoned with the signature of former Vice-Chairman Jacob Tsoitigh, who had been discharged from office by Chairman SpottedBird approximately ten months prior. When asked how many transactions had included Tsoitigh's facsimile signature since his departure from the SpottedBird administration, the Chairman replied, “a lot.” Given this nakedly improper and arguably fraudulent use of the Tsoitigh signature, the Legislature requested in its July 2025 subpoenas copies of the checks from accounts owned by the Tribe or its related entities issued since November 2024 that included the former Vice-Chair as a signatory. An unsigned memorandum delivered by the Executive Branch during document production indicated that “over 13,000 Checks” had been printed with Tsoitigh's signature between the November 2024 affirmation of his removal from office by the Kiowa Trial Court and July 2025. Tribe law authorizes signatory authority for the Chairman and Vice-Chairman only in their formal capacity as occupants of elected office. In December 2024 and January 2025, the Legislature amended three banking resolutions to remove Tsoitigh as a signatory and reassign the power to endorse checks (in varying capacities and in conjunction with Chairman SpottedBird) to Treasurer/Chief Financial Officer William Weaver, Deputy Chief Financial Officer Summer Palmer, and General Ledger Accountant Violet Kay Langley. The Executive Branch steadfastly ignored these amendments in Tribe law for no less than an ensuing five months.

2017, Matthew Komalty, then the Kiowa Tribe Chairman, authored a memorandum to the sitting KCOA Board containing directives to:

- reduce any stipend of \$1,000.00 to no more than \$500.00 per meeting
- reduce teleconference payments to \$250.00 per meeting
- limit KCOA Board meetings to a maximum of two per month.

At the time of Chairman Komalty’s efforts to rein in unfettered payments that the KCOA Board had been transmitting to themselves, the Fifth Amended Charter was still in effect. Same Charter unambiguously capped KCOA Board meeting stipends to \$300.00 in Tribe law. As such, Chairman Komalty’s instructions themselves ironically violated the Fifth Amended Charter. However, the NIGC probe demonstrated that, after Komalty’s attempt to implement some semblance of control on the KCOA payments, Board Trustees continued *to authorize payments to themselves* in the amounts of \$500.00 and \$1,000.00 per meeting in contravention of Tribe law.

The Sixth Amended KCOA Charter, enacted in January 2018, provided a “fixed stipend as compensation per meeting as set in an approved Annual Budget or Budget Modification. The per meeting stipends shall be for regular and special meetings of the Board.” The Kiowa Tribe’s annual budget for Fiscal Year 2018-2019 limited each stipend to \$300.00 per KCOA meeting. However, during part of Fiscal Year 2018-2019 and prior to the adoption of the Fiscal Year 018-2019 budget, KCOA Board members continued *to compensate themselves* stipends in the amount of \$1,000.00 and \$500.00 for what they internally categorized as regular, special, and non-quorum meetings.

According to the NIGC, payments received by the five one-time KCOA Trustees who comprise the nucleus of its investigation focus amount to the following totals for the time period under scrutiny:

	<u>Dunlap</u>	<u>Poe</u>	<u>McMahon</u>	<u>Kennedye</u>	<u>Yeahquo</u>
<u>2017</u>	<u>\$16,500</u>	<u>\$13,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>2018</u>	<u>\$59,500</u>	<u>\$58,350</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>2019</u>	<u>\$34,500</u>	<u>\$50,500</u>	<u>\$28,000</u>	<u>\$8,500</u>	<u>\$10,000</u>
<u>2020</u>	<u>\$0</u>	<u>\$0</u>	<u>\$12,500</u>	<u>\$8,000</u>	<u>\$13,000</u>
<u>Total</u>	<u>\$110,500</u>	<u>\$110,150</u>	<u>\$40,500</u>	<u>\$17,000</u>	<u>\$23,000</u>

The NIGC maintained in its LOC that any stipend payments rendered over \$300.00 for attending a KCOA board meeting – and any stipend payments for a meeting that was not a regular or special meeting as defined by Tribe law – constitute violations of the Sixth Amended Charter and misuse of gaming revenue.

In his October 2025 testimony, Chairman SpottedBird confirmed that the specter of civil penalty – a substantial monetary fine, or subjection to a closure order – continues to loom over the Tribe as a possibility. Despite this, the Chairman has not only

the other six parts of the Corrective Action Plan that Chairman SpottedBird stated that he would implement in early 2024.

At the inquiry hearing on October 29, 2025, Chairman SpottedBird shifted his position yet again, testifying that he believes the overpayments to the former KCOA Trustees are justified and that, in his view, no overpaid monies should be collected. This marks a stark departure from the concurrence that he conveyed to the NIGC through his lawyer Randal Homburg with the premise that monies disseminated outside the scope of Tribe law should be recouped without delay.

At the legislative hearing which convened on October 28, 2025, Richard McMahon testified in a similar vein, indicating that he would not repay the money the NIGC stated he wrongfully received unless he was ordered to do so by a court.¹⁵ Mr. McMahon further asserted that, contrary to the representation to the NIGC by Chairman SpottedBird and Mr. Homburg that earnest efforts had been initiated six months earlier in April 2025 to recoup the overpayments previously identified by the Chairman, no official from the Executive Branch had communicated that such recovery efforts had resumed.¹⁶

The Kiowa Tribal Chairman is constitutionally imbued with the authority to speak for the Tribe. Implicit in that authority is the expectation that he speak the truth. As Kiowas – and as legislators – we not only expect, but we demand, that our Chairman and all the persons who work on his behalf communicate with veracity.

Cauigu citizens may draw their own conclusions regarding why Chairman SpottedBird has bent so acrobatically to accommodate Mr. McMahon and countenanced open defiance from him. Similarly, each of us may interpret the Chairman's head-spinning reversals and left turns as well as his years-long repudiation of attempts by the NIGC – an agency that can literally determine the future of Kiowa gaming – to remedy the misappropriation of more than \$300,000.00 in Tribe assets by the current KCOA Chairman and four former KCOA Trustees.

But there can be no dispute that Chairman SpottedBird has dishonestly engaged with both the Legislature and the NIGC – and failed, as in so many other respects – to speak the truth with same parties in this matter.

2.2 Failure to Act Concerning Use of Epithets by Executive Branch Counsel

On the afternoon of July 9, 2025, after the service of the subpoena for document production and testimony to Chairman SpottedBird (and the obstruction of lawful attempts to serve Executive Director Toyekoyah and Chief Financial Officer/Treasurer William Weaver), Executive Branch attorney Randal Homburg authored digital correspondence to legislative counsel Jason Aamodt in which he asserted that he would

RECOMMENDATIONS

“I do hereby solemnly affirm that I will support and defend the Constitution of the Kiowa Tribe against all enemies and will carry out faithfully and impartially the duties of my office to the best of my ability and will promote and protect the best interests of the Kiowa Tribe in accordance with the Constitution.”

Elected and appointed officials alike take this sacred oath. A tribal nation in which the Chairman, the chief constitutional officer, discounts this promise at will is, in truth, no earnestly functioning nation at all. Heavy is the weight of constitutional fidelity upon the shoulders of the Tribe’s leaders, and the collision between personal desires or objectives and the responsibility of honoring Tribe law is inevitable. Our chiefs must be strong enough to shoulder such burdens and adequately possessed of the ethical fortitude to navigate the tension between legal duty and individual aims.

Quite simply, Chairman SpottedBird has failed to live up to standards of his office. For far too long, the Kiowa government has found itself tested by executives who have strayed from the moral and statutory dictates of their role. In the past, such leaders have encountered little to no authentic accountability. That pattern cannot be permitted to continue. Rogue leaders beget rogue administrations, which in turn systemically corrupt our model of democracy for, by, and in service to all Cauigu. The Legislature makes clarion its call: Chairman SpottedBird must resign for the stability and sanctity of the Tribe and its institutions.

And, if he won’t – if he refuses to acknowledge his obligations under Tribe law as he has so persistently refused over the past year – then we must remember that all power inherently belongs to the people, and the Legislature most effectively recognizes that truth by proceeding to impeachment.

Okay. Do you know when there will be a final inventory?

Chairman SpottedBird:

Again, I was deferring to our business enterprise looking at all of that and determining what we want to move forward on or not, and that has yet to be established.

7. Legislative Inquiry Hearing II YouTube: 1:54:22

Chairman SpottedBird:

It hasn't started up yet.

8. Legislative Inquiry Hearing II YouTube: 1:54:28 – 1:54:38

Legislator DeLaune:

Are there any internal controls or tracking on the money? Like, does he have to provide an update to you?

Chairman SpottedBird:

On the fifty thousand?

Legislator DeLaune:

Yeah.

Chairman SpottedBird:

Well, no.

9. Legislative Inquiry Hearing II YouTube: 1:58:45 – 1:59:20

Legislator DeLaune:

So you're mentioning not thinking about a criteria but what sort of went into *this* decision making where *this* one Kiowa receives that \$50,000 conditions-free and also ... he's had the \$50,000 for a couple of years and we have no tracking of it, is that correct? Like, do you know if it's in a bank account or has he provided that information to you at all?

Legislator DeLaune:

So ... you assume he spent it to live off of –

Chairman SpottedBird:

I don't know. That's a question.

Legislator DeLaune:

But conjecture.

Chairman SpottedBird:

Yeah.

Legislator DeLaune:

That's what you're conjecturing. So, if he spent it to live off of, then how does that sustain or apply to business operations? Because –

Chairman SpottedBird:

Well, because he was lobbying to get a plant located in Anadarko, meeting the city ... meeting in Anadarko, meeting at banks to get a loan. So, there's a lot of leg work to do, to go through ...

Legislator DeLaune:

But the speculation is that he is using it to live off on a personal –

Chairman SpottedBird:

Well, again, I was supporting him in his efforts to set up this enterprise. So, whatever he used it for was up to him.

11. Legislative Inquiry Hearing III YouTube: 42:00:00 – 1:03:00

12. Legislative Inquiry Hearing II YouTube: 3:06:13 – 3:07:19

Legislator Queton:

Legislator DeLaune:

Okay. Who is Rose Garza? Did she work for the Tribe at any point?

Chairman SpottedBird:

She did work for the tribe. She was a terminated employee with the tribe ... and at one point, she got fired from Finance.

Legislator DeLaune:

Okay, so, she's saying, "Chairman Spottedbird should step down from his position, misusing tribal funds for him and his wife's personal use, funding her personal airline trips, lodging, and her Costco supplies for her crafts ..." So, is any of that accurate?

Chairman SpottedBird:

No.

Legislator DeLaune:

[Extended preamble] ... So she's specifically utilizing, citing tribal credit cards. Did she have any sort of reconciliation authority over tribal credit cards or any interaction –

Chairman SpottedBird:

Yeah, I think that was her job. Yes.

Legislator DeLaune:

Okay, so that accidental use of the tribal credit card, do you recall if it was at Costco or what the vendor was?

Chairman SpottedBird:

Yes, it was Costco.

14. [Legislative Inquiry Hearing II YouTube: 3:00:50 – 3:00:57](#)

15. [Legislative Inquiry Hearing I YouTube: 2:59:34 – 3:00:17](#)

16. Legislative Inquiry Hearing I YouTube: 2:54:24 – 2:54:52

Legislator DeLaune:

Have you received communication from the Executive Branch that efforts to recoup those ... alleged overpayments have resumed?

KCOA Chair McMahon:

I've received no communication from the Executive Branch regarding alleged overpayments.

Legislator DeLaune:

So, you have not received any communication from the Executive Branch that efforts to claw back those funds have been reinitiated?

KCOA Chair McMahon:

That is correct.

17. Legislative Inquiry Hearing II YouTube: 5:13:15 – 5:13:44

Legislator DeLaune:

Would it be a surprise to you to learn that, I believe, Mr. Homburg here is referring to using insulting terminology to the Legislature. Do you support that kind of, um, you know, verbiage from your Attorney General?

Chairman SpottedBird:

I stand by my Attorney General.

Legislator DeLaune:

Okay. So, if he is using epithets, name calling, to the Legislature, you stand by that?

Chairman SpottedBird:

I stand by my Attorney General.

APPENDIX (CONTINUED)

WEBINAR OF KIOWA TRIBE DISTRICT 7 LEGISLATIVE OFFICE:





KIOWA TRIBE

P.O. Box 369 • Carnegie, Oklahoma • 73015
Phone: (580) 654-6338 • Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE



February 14, 2026

LEGISLATURE VOTES TO INITIATE IMPEACHMENT OF
CHAIRMAN LAWRENCE SPOTTEDBIRD
FOR FINANCIAL MALFEASANCE, GROSS INCOMPETENCE,
CORRUPTION, EMBEZZLEMENT,
AND VIOLATIONS OF TRIBE LAW

Today, in accordance with its legal and moral mandates under our Constitution, the Kiowa Legislature voted to initiate impeachment proceedings for Kiowa Tribe Chairman Lawrence SpottedBird due to repeated violations on his part of same Constitution and Tribe law as well as an extended pattern of abuse and mismanagement of Tribe finances. Via Legislative Order, the Legislature has also approved publication of a Final Report outlining its findings from a sequence of three legislative inquiry hearings conducted in October 2025, of resulting impeachment charges, and of the Rules for a public impeachment hearing to be convened on March 2, 2026. Those documents can be accessed on the website of the Kiowa Legislature as well as via the Kiowa Tribe Legislature Facebook page.

It is always cause for grief when a leader of the Tribe squanders public trust by failing to uphold the ethical and constitutional imperatives of their office. However, the Legislature will not be deterred from exercising the full scope of its constitutional authorities to deliver the accountability for the Cauigu people that has been missing from Tribe government for far too long. A finalized location for the proceedings will be shared in the forthcoming days.

In service to our citizens,

Michael Q. Primus II
Speaker of the Legislature



KIOWA TRIBE
P.O. Box 369 · Carnegie, Oklahoma · 73015
Phone: (580) 654-6338 · Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE

Legislative Order Number: KLO-CY-2026-009

IMPEACHING LAWRENCE SPOTTEDBIRD, CHAIRMAN OF THE KIOWA TRIBE

At a duly called Legislative Regular Session II-(2) of the Legislature of the Kiowa Tribe held this 14 day of February, 2026, the following Order was approved.

WHEREAS, the Kiowa Tribe is a sovereign nation and has been so since time immemorial; and,

WHEREAS, the Tribe exercises full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs encompassing Tribe citizens, lands, and resources; and,

WHEREAS, on April 17, 2017, qualified voters of the Tribe ratified the Kiowa Constitution as “the supreme law of the land”; and,

WHEREAS, the Legislature is vested with the authority to impeach and remove a Chairman for good cause pursuant to Article XII, Section 3 of the Constitution; and,

WHEREAS, the Legislature is required to provide an impeached officer with adequate notice of the charges against him or her in writing, an opportunity to address the Legislature in a public hearing, an opportunity to contest the charges, and the opportunity to prepare a defense including the presentation of witnesses or other evidence; and,

WHEREAS, pursuant to Article XV of the Constitution, all elected and appointed officials of the Tribe are required to take the following oath of office prior to assuming the duties of their office: “I, [Official], do solemnly affirm that I will support and defend the Constitution of the Kiowa Tribe against all enemies and will carry out faithfully and impartially the duties of my office to the best of my ability and will promote and protect the best interests of the Kiowa Tribe in accordance with the Constitution”; and,

WHEREAS, pursuant to Article VII, Section 4(a) of the Constitution, all Executive power of the Tribe is vested in the Chairman, who “shall execute, administer, and enforce the laws” of the Kiowa Tribe; and,

WHEREAS, pursuant to Article VII, Section 4(d) of the Constitution, the Chairman of the Tribe has ultimate responsibility to safeguard and administer the Tribe’s financial assets in accordance with Tribe law; and,

Tribe's casino operations to expend Tribal Funds in the forms of donations and sponsorships, in violation of Kiowa Law. These donations and sponsorships were not appropriated in a Tribal Budget, a violation of Kiowa Law. Additionally, these expenditures were made in violation of the Kiowa Tribe Sponsorship Act of 2023 and the Kiowa Tribe Sponsorship Act of 2024.

- CHARGE 4: Failure to Safeguard Financial Assets, Embezzlement, and Violation of Kiowa Law. Chairman SpottedBird used Tribal Funds to pay for personal expenses. First, Chairman SpottedBird allowed his spouse to purchase personal items from Costco using the Tribe's credit card. Second, in the summer of 2024, Chairman SpottedBird used Tribal Funds to purchase personal airfare for his spouse's trip to South Korea. While the airline expenditure was allegedly reimbursed to the Tribe, both of these disbursements of Tribe funds were still expended for personal use and without authorization in law.
- CHARGE 5: Contempt and Violations of Kiowa Law. In violation of Kiowa law, Chairman SpottedBird failed to respond to a Legislative Subpoena requesting the production of credit card statements for Tribal credit cards issued and used in the name of Chairman SpottedBird.
- CHARGE 6: Failure to Safeguard Financial Assets, Malfeasance, Gross Misconduct, Failure to Protect the Tribe's Best Interests. On November 2, 2023, the National Indian Gaming Commission (NIGC) Compliance Division issued a Letter of Concern (LOC) to the Kiowa Tribe regarding the overpayment of stipends in total cumulative excess of \$300,000 to Trustees of the Kiowa Casino Operations Authority (KCOA) Board from 2017 to 2020. On February 1, 2024, Chairman SpottedBird responded with a corrective action plan that included repayment of the unlawful stipends from the Trustees of the KCOA Board. However, on June 27, 2024, Chairman SpottedBird reversed course, writing to the NIGC that the Tribe would no longer seek recovery of the unlawful stipend payments. On March 11, 2025, the NIGC responded, criticizing Chairman SpottedBird's reversal of course and stating that he had failed to provide an accounting or justification of the unlawful payments. The NIGC directed Chairman SpottedBird to either justify the overpayments or resume recovery of the overpayments. On April 10, 2025, acting through the Tribe's Attorney General, Chairman SpottedBird stated the Tribe would return to its original corrective action plan and restart efforts to recover overpayments from the former KCOA Trustees. However, Chairman SpottedBird never approached the former KCOA Trustees about recovery of the overpayments after the April 2025 letter. In fact, during the October 2025 legislative inquiry, Chairman SpottedBird stated that he believed the unlawful overpayments were justified and that he would not be seeking reimbursement of the unlawful overpayments. Because the Tribe's gaming enterprises are core to funding

BE IT FURTHER RESOLVED, the Kiowa Tribe Legislature hereby orders publication on February 14, 2026, of a report of findings for the October 2025 Legislative Inquiry Hearings.

BE IT FINALLY RESOLVED, the Kiowa Tribe Legislature hereby adopts the following Rules and Procedures to govern the impeachment hearing on the foregoing charges:

- Rule 1. Presiding Officer.** The Speaker or his designee shall preside over the impeachment hearing.
- Rule 2. Quorum.** A quorum of Legislators, four (4), shall be necessary to open the impeachment hearing
- Rule 3. Impeachment Hearing Open to the Public.**
- (a) The Impeachment Hearing shall be conducted in person at a location to be determined by the Legislature and communicated to Chairman SpottedBird or his counsel no later than 5:00 p.m. on February 20, 2026. Notice of the location shall be published to the Kiowa Legislature website and social media accounts.
 - (b) Subject to the confidentiality provisions of this section, the impeachment hearing shall be open to the public, and recorded both on video and in audio formats.
 - (c) The impeachment hearing shall be broadcast on a reasonably available digital platform, and the precise link to access the broadcast shall be part of the Notice of the Impeachment Hearing on the Legislature's website.
 - (d) Confidentiality. Unless necessary to protect confidential information, or in a matter concerning employment, the Presiding Officer shall ensure that the impeachment hearing is open to the public and guests of the Legislature. The determination of confidentiality shall be the sole and unappealable determination of the Presiding Officer who shall bear no liability for the determination of confidentiality or non-confidentiality, provided that the Legislature will maintain confidentiality of documents marked as "CONFIDENTIAL INFORMATION" pursuant to provisions of the Law-Making and the Production of Documents and Testimony Act of 2017, as amended.
 - (e) The Legislature shall publish, within five (5) days after the close of the impeachment hearing, all non-confidential exhibits admitted during the impeachment hearing on the Legislature's website.
- Rule 4. Presentation.** The Speaker shall designate a Legislator who shall be responsible for the presentation of argument, witnesses, and evidence on behalf of the Legislature. The designee may employ the assistance of counsel in presentation of the case.
- Rule 5. Representation of Counsel.** The impeached officer shall have the right to employ the assistance of counsel in their defense. Such counsel shall not be an employee of the Tribe, nor may the counsel be retained or paid with Tribal funds.

(3) **Protect witnesses from harassment or undue embarrassment.**

Commented [DS2]: This is a pretty standard rule of evidence. I believe the "undue" word solves the problem you raise.

- (f) Cross-examination shall be limited to the subject matter of the direct examination and matters affecting the credibility of the witness.
- (g) Leading questions should not be used on the direct examination of a witness except as may be necessary to develop the witness's testimony. Leading questions should ordinarily be permitted on cross-examination. When a party calls a hostile witness, an adverse party, or a witness identified with an adverse party, leading questions may be used on direct examination.
- (h) Generally, only the legislative designees or the impeached officer may ask questions of any witness sworn to testify. However, the Presiding Officer may, in their discretion, allow any Legislator to ask a question of a witness sworn to testify. To ask a question, a Legislator must be recognized by the Presiding Officer and be permitted by the Presiding Officer to ask a question before doing so.
- (i) The Presiding Officer may decide testimony to be irrelevant, incompetent, repetitious, or discourteous to the Legislature, other persons testifying, or any attendee, and may strike such testimony.
- (j) If a witness refuses to answer a question, the Presiding Office may designate the question not answered and seek judicial assistance to require by Court Order that the question be answered.
- (k) **Persons under the age of eighteen (18) shall only testify in the presence of and with written permission from a parent or legal guardian.**

Commented [DS3]: This ~~may~~ be unnecessary for this specific situation, but is a pretty standard rule of evidence that could be useful just in case.

Rule 8. Evidence. The Presiding Officer shall consider and rule any objection to the admission of evidence. While the presentation of evidence need not follow traditional rules of evidence, the Presiding Officer may still consider the rules of evidence of the Trial Court of the Kiowa Tribe in ruling on objections.

Rule 9. Interference with Impeachment Hearing. If any person present at an impeachment hearing obstructs the hearing or interferes with the procedure, the Presiding Officer may Order that person be removed by law enforcement or security officers, and that person shall not be permitted to return to the hearing until the Presiding Officer so Orders.

Rule 9. Continuing of Impeachment Hearing. If a hearing is not concluded in a single day, it shall be continued on such a day and time and at a location as designated by the Presiding Officer consistent with regulatory guidelines adopted by Legislative Order, as applicable. Any subpoenas for witness testimony that was scheduled for a hearing that has been continued shall be automatically revised to require attendance at the hearing when and where it is continued.

LEGISLATIVE ORDER: KLO-CY-2026-0XX

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Kyle Ataddley District 1				
Michael Primus District 2				
Timothy Satepauhoodle District 3				
Cole DeLaune District 4				
Tiya Rosario District 5				
Ben Wolf District 6				
Warren Queton District 7				



KIOWA TRIBE

P.O. Box 369 • Carnegie, Oklahoma • 73015
Phone: (580) 654-6338 • Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE

PLAINTIFF'S
EXHIBIT
4

Legislative Order Number: KLO-CY-2026-009

IMPEACHING LAWRENCE SPOTTEDBIRD, CHAIRMAN OF THE KIOWA TRIBE

At a duly called Legislative Order Session III-(3) of the Legislature of the Kiowa Tribe held this 14th day of February, 2026, the following Order was approved.

WHEREAS, the Kiowa Tribe is a sovereign nation and has been so since time immemorial; and,

WHEREAS, the Tribe exercises full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs encompassing Tribe citizens, lands, and resources; and,

WHEREAS, on April 17, 2017, qualified voters of the Tribe ratified the Kiowa Constitution as “the supreme law of the land”; and,

WHEREAS, the Legislature is vested with the authority to impeach and remove a Chairman for good cause pursuant to Article XII, Section 3 of the Constitution; and,

WHEREAS, the Legislature is required to provide an impeached officer with adequate notice of the charges against him or her in writing, an opportunity to address the Legislature in a public hearing, an opportunity to contest the charges, and the opportunity to prepare a defense including the presentation of witnesses or other evidence; and,

WHEREAS, pursuant to Article XV of the Constitution, all elected and appointed officials of the Tribe are required to take the following oath of office prior to assuming the duties of their office: “I, [Official], do solemnly affirm that I will support and defend the Constitution of the Kiowa Tribe against all enemies and will carry out faithfully and impartially the duties of my office to the best of my ability and will promote and protect the best interests of the Kiowa Tribe in accordance with the Constitution”; and,

WHEREAS, pursuant to Article VII, Section 4(a) of the Constitution, all Executive power of the Tribe is vested in the Chairman, who “shall execute, administer, and enforce the laws” of the Kiowa Tribe; and,

WHEREAS, pursuant to Article VII, Section 4(d) of the Constitution, the Chairman of the Tribe has ultimate responsibility to safeguard and administer the Tribe’s financial assets in accordance with Tribe law; and,

WHEREAS, in October 2025, the Legislature conducted a legislative inquiry into the actions of various executive officers, including Lawrence SpottedBird. A report of findings for that inquiry shall be issued on February 14, 2026, which details various improper actions and inactions on the part of Chairman SpottedBird; and,

WHEREAS, the Kiowa Legislature finds there is good cause for the impeachment and possible removal of Lawrence SpottedBird from the Office of Chairman of the Kiowa Tribe for the charges herein set forth; and,

WHEREAS, the Kiowa Legislature finds that, as a matter of due process, it shall adopt a set of Impeachment Rules for the Impeachment Hearing scheduled pursuant to this Order.

NOW, THEREFORE BE IT RESOLVED, the Kiowa Tribe Legislature hereby impeaches Lawrence SpottedBird, Chairman of the Kiowa Tribe, for good cause, and that the following charges of impeachment be presented for consideration in a public hearing pursuant to Article XII, Section 3 of the Kiowa Constitution:

CHARGE 1: Failure to Safeguard Financial Assets, Corruption, Gross Incompetence, and Violation of Kiowa Law. First, Chairman Spottedbird oversaw the creation and operation of Indian City Screen Printing, which operated over its internal budget and generated less than \$11,000 in revenue while expending more than \$440,000 of Tribe monies. Second, Chairman SpottedBird failed to conduct any due diligence before commencing the enterprise and failed to develop a business plan for its operation. Third, Chairman SpottedBird engaged in nepotism by hiring at least one unqualified family member to manage the undertaking, paying them an exorbitant salary and allowing them personal use of Tribe utilities. Fourth, Chairman SpottedBird failed to account for remaining inventory of the enterprise after its closure. Fifth, Chairman SpottedBird expended Tribal funds that were not appropriated in a Tribal Budget in violation of Kiowa Law.

CHARGE 2: Failure to Safeguard Financial Assets, Malfeasance, Gross Incompetence, and Violation of Kiowa Law. In June 2023, Chairman SpottedBird promised, and ultimately provided, a \$50,000 payment of Tribal Funds to a Kiowa Citizen as a purported "business investment." There was no written contract for the repayment of the funds or any form of profit sharing for the purported business, which had not commenced operations as of October 2025. Nor was the expenditure of the Tribal Funds appropriated in a Tribal Budget, a violation of Kiowa Law. Finally, Chairman SpottedBird could not account for how the Tribal Funds were ultimately used, speculating that the recipient used the funds for personal purposes rather than legitimate business applications.

CHARGE 3: Failure to Safeguard Financial Assets, Corruption, and Violation of Kiowa Law. Over a period of several years, Chairman SpottedBird directed the

Tribe's casino operations to expend Tribal Funds in the forms of donations and sponsorships, in violation of Kiowa Law. These donations and sponsorships were not appropriated in a Tribal Budget, a violation of Kiowa Law. Additionally, these expenditures were made in violation of the Kiowa Tribe Sponsorship Act of 2023 and the Kiowa Tribe Sponsorship Act of 2024.

CHARGE 4: Failure to Safeguard Financial Assets, Embezzlement, and Violations of Kiowa Law. Chairman SpottedBird used Tribal Funds to pay for personal expenses. First, Chairman SpottedBird allowed his spouse to purchase personal items from Costco using the Tribe's credit card. Second, in the summer of 2024, Chairman SpottedBird used Tribal Funds to purchase personal airfare for his spouse's trip to South Korea. While the airline expenditure was allegedly reimbursed to the Tribe, both of these disbursements of Tribe funds were still expended for personal use and without authorization in law.

CHARGE 5: Contempt and Violations of Kiowa Law. In violation of Kiowa law, Chairman SpottedBird failed to respond to a Legislative Subpoena requesting the production of credit card statements for Tribal credit cards issued and used in the name of Chairman SpottedBird.

CHARGE 6: Failure to Safeguard Financial Assets, Malfeasance, Gross Misconduct, Failure to Protect the Tribe's Best Interests. On November 2, 2023, the National Indian Gaming Commission (NIGC) Compliance Division issued a Letter of Concern (LOC) to the Kiowa Tribe regarding the overpayment of stipends in total cumulative excess of \$300,000 to Trustees of the Kiowa Casino Operations Authority (KCOA) Board from 2017 to 2020. On February 1, 2024, Chairman SpottedBird responded with a corrective action plan that included repayment of the unlawful stipends from the Trustees of the KCOA Board. However, on June 27, 2024, Chairman SpottedBird reversed course, writing to the NIGC that the Tribe would no longer seek recovery of the unlawful stipend payments. On March 11, 2025, the NIGC responded, criticizing Chairman SpottedBird's reversal of course and stating that he had failed to provide an accounting or justification of the unlawful payments. The NIGC directed Chairman SpottedBird to either justify the overpayments or resume recovery of the overpayments. On April 10, 2025, acting through the Tribe's Attorney General, Chairman SpottedBird stated the Tribe would return to its original corrective action plan and restart efforts to recover overpayments from the former KCOA Trustees. However, Chairman SpottedBird never approached the former KCOA Trustees about recovery of the overpayments after the April 2025 letter. In fact, during the October 2025 legislative inquiry, Chairman SpottedBird stated that he believed the unlawful overpayments were justified and that he would not be seeking reimbursement of the unlawful overpayments. Because the Tribe's gaming enterprises are core to funding

Tribe operations, this matter before the NIGC must be conducted professionally and appropriately as well as without misrepresentations by Chairman SpottedBird. In October 2025, Chairman SpottedBird confirmed that the Tribe could incur a civil penalty as a consequence of the NIGC investigation, and his constant “flip-flopping” has seriously injured the interests of the Kiowa Tribe and its citizens.

CHARGE 7: Failure to Safeguard Financial Assets, Fraud, Malfeasance, Violation of Kiowa Law, and Failure to Protect the Tribe’s Best Interests. Without authorization by law, Chairman SpottedBird attempted to purchase a building located at 804 West Petree Road in Anadarko for use as a clinic and pharmacy. This facility had originally been planned to be opened in Carnegie. The Executive Branch provided no detailed budget for the prospective business, nor did it provide any other required elements mandated by Tribe law through the Economic Due Diligence Act of 2018. In fact, the Chairman had already unlawfully deposited \$14,500 of Tribal Funds in “earnest money” to Caddo County Abstract Co, Inc. Additionally, the payment in question bore the signature of former Vice-Chairman Jacob Tsofigh, who had been discharged from office by Chairman SpottedBird approximately ten months prior. When asked how many transactions had included Tsofigh’s facsimile signature since his departure from office, Chairman SpottedBird replied, “a lot.” An unsigned memorandum delivered by the Executive Branch to the Legislature indicated that “over 13,000 Checks” had been printed with Tsofigh’s signature between the affirmation of his removal by the Kiowa Court in November 2024 and July 2025. Tribal law authorizes signatory authority for the Chairman and Vice-Chairman only in their formal capacity as occupants of elected office. In December 2024 and January 2025, the Legislature amended three banking resolutions to remove Tsofigh as a signatory and reassign the power to endorse checks (in varying capacities and in conjunction with Chairman SpottedBird) to Treasurer/Chief Financial Officer William Weaver, Deputy Chief Financial Officer Summer Palmer, and General Ledger Accountant Violet Kay Langley. Despite the legal requirement to remove the former Vice-Chairman from the Tribe’s bank accounts, Chairman SpottedBird failed to do so.

BE IT FURTHER RESOLVED, the Kiowa Tribe Legislature hereby sets the foregoing Charges of Impeachment for formal trial before the Kiowa Tribe Legislature on March 2, 2026, at 11:00 a.m. If additional days are needed, proceedings shall continue on March 3, 2026, at 11:00 a.m. and March 4, 2026, at 11:00 a.m. Notice of location shall be transmitted to Chairman SpottedBird by February 20, 2026. If additional days are required beyond March 4, they shall be set by the Speaker with reasonable notice given to Chairman SpottedBird. Such notice need not be in writing if set while on the record in the impeachment hearing. Chairman SpottedBird shall provide the Legislature with a list of witnesses he intends to call in his defense no later than 5:00 p.m. on February 27, 2026.

BE IT FURTHER RESOLVED, the Kiowa Tribe Legislature hereby orders publication on February 14, 2026, of a report of findings for the October 2025 Legislative Inquiry Hearings.

BE IT FINALLY RESOLVED, the Kiowa Tribe Legislature hereby adopts the following Rules and Procedures to govern the impeachment hearing on the foregoing charges:

Rule 1. Presiding Officer. The Speaker or his designee shall preside over the impeachment hearing.

Rule 2. Quorum. A quorum of Legislators, four (4), shall be necessary to open the impeachment hearing

Rule 3. Impeachment Hearing Open to the Public.

(a) The Impeachment Hearing shall be conducted in person at a location to be determined by the Legislature and communicated to Chairman SpottedBird or his counsel no later than 5:00 p.m. on February 20, 2026. Notice of the location shall be published to the Kiowa Legislature website and social media accounts.

(b) Subject to the confidentiality provisions of this section, the impeachment hearing shall be open to the public, and recorded both on video and in audio formats.

(c) The impeachment hearing shall be broadcast on a reasonably available digital platform, and the precise link to access the broadcast shall be part of the Notice of the Impeachment Hearing on the Legislature's website.

(d) Confidentiality. Unless necessary to protect confidential information, or in a matter concerning employment, the Presiding Officer shall ensure that the impeachment hearing is open to the public and guests of the Legislature. The determination of confidentiality shall be the sole and unappealable determination of the Presiding Officer who shall bear no liability for the determination of confidentiality or non-confidentiality, provided that the Legislature will maintain confidentiality of documents marked as "CONFIDENTIAL INFORMATION" pursuant to provisions of the Law-Making and the Production of Documents and Testimony Act of 2017, as amended.

(e) The Legislature shall publish, within five (5) days after the close of the impeachment hearing, all non-confidential exhibits admitted during the impeachment hearing on the Legislature's website.

Rule 4. Presentation. The Speaker shall designate a Legislator who shall be responsible for the presentation of argument, witnesses, and evidence on behalf of the Legislature. The designee may employ the assistance of counsel in presentation of the case.

Rule 5. Representation of Counsel. The impeached officer shall have the right to employ the assistance of counsel in their defense. Such counsel shall not be an employee of the Tribe, nor may the counsel be retained or paid with Tribal funds.

Rule 6. Trial Procedure.

- (a) The legislative designee and the impeached officer shall each be given an opportunity to make a ten (10) minute opening statement before the presentation of evidence.
- (b) The legislative designee shall present evidence, through testimony and exhibits, in favor of conviction of the impeached officer.
- (c) After the legislative designee closes their presentation of evidence, the impeached officer shall be given an opportunity to present evidence, through testimony and exhibits, in their defense.
- (d) After the close of presentations of evidence by the legislative designee and the impeached officer, the Presiding Officer may allow either party the opportunity to present rebuttal evidence in their sole discretion.
- (e) After the presentation of rebuttal evidence, the legislative designee and the impeached officer shall each be given an opportunity to make a ten (10) minute closing statement before the Legislature's consideration of conviction. The impeached officer shall deliver their respective closing statement first and before the legislative designee.

Rule 7. Testimony.

- (a) All testimony shall be given under oath, and under the penalty of perjury which shall be enforceable by the Kiowa Tribe Prosecutor. The Clerk of the Legislature shall administer an oath to each witness which shall require the witness to declare, "I swear under penalty of perjury that all testimony I provide today shall be the truth, the whole truth and I shall not mislead or intentionally omit any material fact in response to any question I am asked."
- (b) Legislators may not be compelled to testify as a witness in the impeachment hearing.
- (c) Testimony from each witness shall be by default limited to 60 minutes, but the Presiding Officer may enlarge or limit that time as he sees fit and may do so at any time including after the testimony has begun
- (d) A witness may testify to a matter only if evidence is introduced to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may consist of the witness's own testimony.
- (e) The Presiding Officer shall exercise control over the manner and order of interrogating witnesses and presenting evidence so as to:
 - (1) Make the interrogation and presentation effective for the ascertainment of the truth;
 - (2) Avoid needless consumption of time; and

- (3) Protect witnesses from harassment or undue embarrassment.
- (f) Cross-examination shall be limited to the subject matter of the direct examination and matters affecting the credibility of the witness.
- (g) Leading questions should not be used on the direct examination of a witness except as may be necessary to develop the witness's testimony. Leading questions should ordinarily be permitted on cross-examination. When a party calls a hostile witness, an adverse party, or a witness identified with an adverse party, leading questions may be used on direct examination.
- (h) Generally, only the legislative designees or the impeached officer may ask questions of any witness sworn to testify. However, the Presiding Officer may, in their discretion, allow any Legislator to ask a question of a witness sworn to testify. To ask a question, a Legislator must be recognized by the Presiding Officer and be permitted by the Presiding Officer to ask a question before doing so.
- (i) The Presiding Officer may decide testimony to be irrelevant, incompetent, repetitious, or discourteous to the Legislature, other persons testifying, or any attendee, and may strike such testimony.
- (j) If a witness refuses to answer a question, the Presiding Office may designate the question not answered and seek judicial assistance to require by Court Order that the question be answered.
- (k) Persons under the age of eighteen (18) shall only testify in the presence of and with written permission from a parent or legal guardian.

Rule 8. Evidence. The Presiding Officer shall consider and rule any objection to the admission of evidence. While the presentation of evidence need not follow traditional rules of evidence, the Presiding Officer may still consider the rules of evidence of the Trial Court of the Kiowa Tribe in ruling on objections.

Rule 9. Interference with Impeachment Hearing. If any person present at an impeachment hearing obstructs the hearing or interferes with the procedure, the Presiding Officer may Order that person be removed by law enforcement or security officers, and that person shall not be permitted to return to the hearing until the Presiding Officer so Orders.

Rule 9. Continuing of Impeachment Hearing. If a hearing is not concluded in a single day, it shall be continued on such a day and time and at a location as designated by the Presiding Officer consistent with regulatory guidelines adopted by Legislative Order, as applicable. Any subpoenas for witness testimony that was scheduled for a hearing that has been continued shall be automatically revised to require attendance at the hearing when and where it is continued.

Rule 10. Deliberation and Conviction. Following closing statements, the Presiding Officer shall open consideration of conviction to debate amongst the Legislature. Each Legislator wishing to debate on the matter shall be given ten (10) minutes to make a statement. Following debate, the Presiding Officer shall call for a roll call vote of the Legislature on whether to convict the impeached officer of the impeachment charges against them.

Rule 11. Penalty. Should an impeached officer be convicted by a unanimous vote of the Legislature, the impeached officer shall immediately be removed from office and their seat declared vacant pursuant to the provisions of the Kiowa Constitution. Additionally, the impeached officer shall not be eligible to serve as an elected or appointed Official of the Tribe for a period of 4 years after the date of conviction of the impeachment.

CERTIFICATION

The foregoing Resolution KL-CY-2026-009 was duly voted upon by the Legislature on February 14, 2026, at a Legislative Order Session III-(3), with a vote of (6) in favor and (0) opposed, (0) abstaining, and (1) absent, according to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus

Michael Primus
Speaker of the Legislature

LEGISLATIVE ORDER: KLO-CY-2026-009

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
Kyle Ataddley District 1	X			
Michael Primus District 2	X			
Timothy Satepauhoodle District 3				X
Cole DeLaune District 4	X			
Tiya Rosario District 5	X			
Ben Wolf District 6	X			
Warren Queton District 7	X			