12-515 MICHIGAN V. BAY MILLS INDIAN COMMUNITY

DECISION BELOW: 695 F.3d 406

LOWER COURT CASE NUMBER: 11-1413

QUESTION PRESENTED:

The Indian Gaming Regulatory Act, 25 U.S.C. § 2701 *et seq*. (IGRA), authorizes an Indian tribe to conduct class III gaming under limited circumstances and only on "Indian lands." 25 U.S.C. § 2710(d)(1). This dispute involves a federal court's authority to enjoin an Indian tribe from operating an illegal casino located *off* of "Indian lands." The petition presents two recurring questions of jurisprudential significance that have divided the circuits:

1. Whether a federal court has jurisdiction to enjoin activity that violates IGRA but takes place outside of Indian lands.

2. Whether tribal sovereign immunity bars a state from suing in federal court to enjoin a tribe from violating IGRA outside of Indian lands.

CERT. GRANTED 6/24/2013