

Shiprock court will not dismiss Navajo Nation suit to stop growing of hemp

Written by Staff Reports

Friday, 25 September 2020 05:13



SHIPROCK, NAVAJO NATION—The Shiprock District Court denied the arguments made by defendant Dineh Benally that the Navajo Nation’s lawsuit against him and his companies should be dismissed on Sept. 10.

In a nineteen-page order, the Court reviewed, analyzed and denied each of the four arguments made by Benally.

Benally had claimed that

(1) the Shiprock Court lacked jurisdiction to hear the case,

(2) the Nation must resolve the matter through the San Juan Regional Farm Board – on which Benally serves as President,

(3) the Nation failed to join the San Juan River Farm Board – which is an entity of the Nation, and

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(4) Benally denied knowledge of the existence of co-defendants Navajo Gold and Native American Agricultural Company – despite claiming in the press and on his websites to be the founder and owner of both.

The Court rejected all four of the arguments.

“I am very pleased with the Court’s ruling and look forward to a prompt hearing to stop this dangerous and illegal activity while the case proceeds,” Atty. Gen. Doreen N. McPaul said. “I have seen firsthand the disastrous impacts of Benally’s hemp operations and have met with dozens of harmed neighbors, farmers, and community members and we look forward to a prompt resolution of this matter by the Court.”

The Navajo Nation filed this lawsuit on June 12 against Dineh Benally, Native American Agriculture Company, and Navajo Gold Company seeking to stop the illegal and unregulated growth, production and sale of hemp transporting, licensing, and selling industrial hemp within the exterior boundaries of the Navajo Nation.

As a part of the lawsuit, the Navajo Nation also filed a motion for a temporary restraining order and a request for a preliminary injunction to stop Benally’s hemp operation pending the resolution of the case.

The Court will now consider that motion, according to the Sept. 10 order.

Navajo Nation Council and President Jonathan Nez have stated that growing, cultivating and marketing industrial hemp is illegal on the Navajo Nation.

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