

**Cherokee Council House
Cherokee, Qualla Boundary (NC)**

Date: _____

RESOLUTION NO. _____ (2017)

- WHEREAS, the Eastern Band of Cherokee Indians has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of those lands and the welfare of the members of the Tribe; and
- WHEREAS, the Tribal Council has codified its authority to exclude persons from the lands of the Eastern Band at Chapter 2 of the Cherokee Code; and
- WHEREAS, FELIPE LEE SATURNINO VILAFRANCA, with a birth date of 11/20/1987, is not a member of the Eastern Band of Cherokee Indians, and is currently incarcerated in Buncombe County;
- WHEREAS, most recently, on or about 12/29/16, FELIPE LEE SATURNINO VILAFRANCA was found on tribal lands, at this time FELIPE LEE SATURNINO VILAFRANCA had several outstanding federal warrants and was charged with possessing/concealing stolen property for six stolen vehicles found on the property and drug violations for 260.3 grams of marijuana individually bagged;
- WHEREAS, due to these charges and his extensive criminal history in other jurisdictions which includes but is not limited to convictions for: Speed Elude Arrest/Attempt/Second Offense-Felony, Possess with Intent to Sell Schedule II-Felony, Possession of Burglary Tools-Felony, Drug Paraphernalia Use/Possess, Receiving Stolen Vehicle-Felony; the Tribal Council has good reason to believe that FELIPE LEE SATURNINO VILAFRANCA is a threat to the law and order on Tribal lands and a threat to the welfare of enrolled members.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council, in Council assembled with a quorum present and with the number of votes required by Tribal law, that FELIPE LEE SATURNINO VILAFRANCA is hereby permanently excluded from all Tribal lands and is hereby notified and ordered to vacate all tribal lands upon such release or transfer.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits FELIPE LEE SATURNINO VILAFRANCA from entering on or being present on Tribal lands for any purpose except as required by a subpoena issued by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if FELIPE LEE SATURNINO VILAFRANCA is found improperly on Tribal lands at any time after the effective date of this resolution or upon his release or transfer from the Cherokee Detention Center, whichever is later, he shall be treated as a trespasser and appropriate legal action shall be taken against him.

BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by The Cherokee Indian Police Department Chief of Police pursuant to Cherokee Code Chapter 2.