

**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 this Eastern Band at Chapter 2 of the Cherokee Code; and

WHEREAS, BENJAMIN TYRONE WILLIS with a date of birth of 10/01/1972 is a not a member of the Eastern Band of Cherokee Indians; and

WHEREAS, most recently, on or about 06/06/2017, BENJAMIN TYRONE WILLIS has been charged with the following offenses on Tribal lands of the Eastern Band of Cherokee Indians: 2 counts of Trafficking in Opium or Heroin in violation of C.C. 14-95.9(a), Possession with Intent to Sell or Deliver a Schedule II Controlled Substance in violation of C.C. 14-95.5(a), and Possession of a Gun at the time of offense in violation of C.C. 14-95.24; and

WHEREAS, BENJAMIN TYRONE WILLIS has been convicted of the following offenses in the state of Georgia: 2 counts of Simple Battery, Theft by Taking, 2 counts of Criminal Trespass, and misdemeanor Escape from Custody; and

WHEREAS, BENJAMIN TYRONE WILLIS was properly served with notice of this banishment proceeding and provided with an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present and with the number of votes required by Tribal law, that BENJAMIN TYRONE WILLIS is hereby permanently excluded from all Tribal lands and is hereby notified and order to vacate all Tribal lands.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits BENJAMIN TYRONE WILLIS 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 BENJAMIN TYRONE WILLIS is found improperly on Tribal lands at any time after the effective date of this resolution, he shall be treated as a trespasser and appropriate legal action shall be taken against him.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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