

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: FEB 01 2022

RESOLUTION NO. 132 (2022)

*A resolution to exclude Evanna Ulexis Lee from the lands of the
Eastern Band of Cherokee Indians.*

WHEREAS, the Eastern Band of Cherokee Indians ("EBCI" or "Tribe") has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of the lands, and the welfare of Tribal members; 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, the power to exclude is an inherent and essential part of Tribal sovereignty that is indispensable to the Tribe's autonomy and self-governance; and

WHEREAS, EVANNA ULEXIS LEE (Date of Birth: 03/28/1980) is not a member of the Eastern Band of Cherokee Indians, and has been residing in and around Tribal trust land, including at the address of 30 Twin Forks Drive in Cherokee; and

WHEREAS, on January 7, 2022, EVANNA ULEXIS LEE was found on Tsali Manor Street, Apartment 15, on Tribal trust lands, where she is alleged to have been in possession of methamphetamine; and

WHEREAS, subsequent to her arrest by Cherokee Indian Police Department officers, a Swain County magistrate found probable cause to charge EVANNA ULEXIS LEE with Felony Possession of a Schedule II Controlled Substance, in violation of N.C.G.S. § 90-95(A)(1); and

WHEREAS, EVANNA ULEXIS LEE is currently facing the following charges in the following neighboring county jurisdictions:

Case Number	Charge	Court Date
<u>Swain County</u>		
22-CR-50015	Poss. Methamphetamine	1/18/2022
<u>Jackson County</u>		
22-CR-00020	Probation Violation	2/1/2022
22-CR-70001	Traffic	3/11/2022
<u>Haywood County</u>		
21-CR-53521	Poss. With Intent to Distribute Meth.	3/2/2022

WHEREAS, while in custody, on January 7, 2022, EVANNA ULEXIS LEE was served with a Writ of Emergency Temporary Exclusion issued by a Cherokee Court magistrate; and

WHEREAS, the criminal history search of EVANNA ULEXIS LEE reveals a wide range of criminal charges from various states, including Felony Receiving Stolen Goods in South Carolina, Felony Larceny and Felony Obtaining Property by False Pretenses in North Carolina, and Possession of Methamphetamine and Possession of a Controlled Substance on a Jail Premises in North Carolina; and

WHEREAS, due to the nature of the alleged criminal actions of EVANNA ULEXIS LEE and based on her residing in and around Tribal trust lands, the Tribal Council has good reason to believe that EVANNA ULEXIS LEE is a threat to the integrity, law and order of EBCI lands and the welfare of the members of the Tribe.

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, EVANNA ULEXIS LEE is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits EVANNA ULEXIS LEE from entering on or being present on Tribal lands for any purpose except as required by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if EVANNA ULEXIS LEE is found improperly on Tribal lands at any time after the effective date of this resolution, she shall be treated as a trespasser and appropriate legal action shall be taken against her.

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 Attorney General's Office on behalf of the Chief of Police as provided in Cherokee Code Chapter 2.

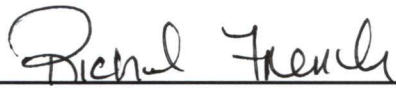
The attached Resolution/Ordinance No. 132 dated FEBRUARY 1, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on FEBRUARY 1, 2022 by 88 voting for the act
and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe				X
Bill Taylor	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	88	0	0	12



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 2/2/22

I hereby certify that the foregoing act of the Council was duly:

PASSED (✓)

KILLED ()

and ratified in open Council after the same has been interpreted by the Official Interpreter and
has been fully and freely discussed.

INTERPRETED ()

OMITTED ()

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

FEB 01 2022

Date: _____

RESOLUTION NO. 133 (2022)

*A resolution to exclude Eric Daniel Vaughn from the lands of the
Eastern Band of Cherokee Indians.*

WHEREAS, the Eastern Band of Cherokee Indians ("EBCI" or "Tribe") has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of the lands, and the welfare of Tribal members; 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, the power to exclude is an inherent and essential part of Tribal sovereignty that is indispensable to the Tribe's autonomy and self-governance; and

WHEREAS, ERIC DANIEL VAUGHN (Date of Birth: 12/07/1982) is not a member of the Eastern Band of Cherokee Indians; and

WHEREAS, on January 12, 2022, ERIC DANIEL VAUGHN is alleged to have led Cherokee Police Department officers on a chase which originated in Cherokee and went through neighboring jurisdictions; and

WHEREAS, ERIC DANIEL VAUGHN has court dates for pending charges in neighboring jurisdictions for the following offenses:

<u>Case Number</u>	<u>Charge</u>	<u>Court Date</u>
<u>Haywood County</u>		
22-CR-50101	Felony Elude Arrest with Motor Vehicle	1/26/2022
22-CR-50102	Reckless Driving to Endanger	1/26/2022
	Resisting Public Officer	1/26/2022
<u>Jackson County</u>		
22-CR-50040	Felony Elude Arrest with Motor Vehicle	2/22/2022
	Felony Assault Inflicting Serious Injury	2/22/2022
22-CR-50041	Felony Resist Public Officer/Serious Injury	2/22/2022
	Resist Public Officer	2/22/2022
22-CR-50030	Resist Public Officer	3/07/2022

WHEREAS, ERIC DANIEL VAUGHN was previously convicted in Federal District Court of one count of Committing an Act of Juvenile Delinquency by Assaulting an Indian

with the Intent to do Bodily Harm, for which he was sentenced to 18 months in federal prison; and

WHEREAS, ERIC DANIEL VAUGHN has a lengthy criminal history involving multiple felony charges in different states, including drug crimes; and

WHEREAS, due to the nature of the alleged criminal actions in January 2022 and previously of ERIC DANIEL VAUGHN, the Tribal Council has good reason to believe that ERIC DANIEL VAUGHN is a threat to the integrity, law and order of EBCI lands and the welfare of the members of the Tribe.

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, ERIC DANIEL VAUGHN is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

BE IT FURTHER RESOLVED that this permanent exclusion prohibits ERIC DANIEL VAUGHN from entering on or being present on Tribal lands for any purpose except as required by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if ERIC DANIEL VAUGHN 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 inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by the Attorney General's Office on behalf of the Chief of Police as provided in Cherokee Code Chapter 2.

The attached Resolution/Ordinance No. 133 dated FEBRUARY 1, 2022 was:

PASSED (X)

KILLED ()

and ratified in open Council on FEBRUARY 1, 2022 by 88 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe	X			
Adam Wachacha	X			X
Bo Crowe				
Bill Taylor	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	88	0	0	12

Richard Fuchs

TRIBAL COUNCIL CHAIRMAN

Michelle Thompson
ENGLISH CLERK

ENGLISH CLERK

PRINCIPAL CHIEF

VETO UPHOLD () VETO DENIED ()

APPROVED (☒) VETOED (☐)

DATE: 2/2/22

I hereby certify that the foregoing act of the Council was duly:

PASSED (✓)

KILLED ()

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ()

OMITTED ()