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OCTOBER

2009

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PASSED

EXCLUSION OF EDWARD D. GREGORY

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United States Department of the Interior



BUREAU OF INDIAN AFFAIRS Cherokee Agency Cherokee, North Carolina 28719

Michell Hicks, Principal Chief Eastern Band of Cherokee Indians P.O. Box 455 88 Council House Loop Cherokee, NC 28719

Dear Chief Hicks:

Attached is signed Tribal Council Resolution No <u>21</u> dated <u>October 12, 2009.</u> Should you have any questions regarding this matter please contact me at (828) 497-9131 extension 227.

Sincerely,

Darkne Whitere, acting

Superintendent

AMENDED

PASSED

Cherokee Council House Cherokee, Qualla Boundary (NC)

Date: 0CT 1 2 2009

RESOLUTION NO. 2 (2009)

- 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 of which a copy is attached; and
- WHEREAS, EDWARD DEWAYNE (or Duane) GREGORY, D.O.B. 7/2/1986 is not a member of the Eastern Band of Cherokee Indians and is currently entering or residing on Tribal lands; and
- WHEREAS, Tribal Council has good reason to believe that EDWARD DEWAYNE (or Duane) GREGORY is a threat to the law and order on Tribal lands and a threat to the welfare of enrolled members by engaging in certain conduct, an example of which is attached to this Resolution as Exhibit A; and
- WHEREAS, EDWARD DEWAYNE (or Duane) GREGORY has been provided sufficient notice of this hearing; and
- WHEREAS, Tribal Council believes that the threat to this Tribe and its members will diminish if EDWARD DEWAYNE (or Duane) GREGORY is not allowed to remain on lands owned by or held in trust for the Eastern Band of Cherokee Indians.
- 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 EDWARD DEWAYNE (or Duane) GREGORY is hereby permanently excluded from all Tribal lands and IS HEREBY NOTIFIED AND ORDERED TO VACATE ALL TRIBAL LANDS and to remove all personal property from Tribal lands within 24 hours from the date this resolution is ratified. Any personal property remaining on Tribal lands after that period shall become the property of the Tribe.
- BE IT FURTHER RESOLVED that if EDWARD DEWAYNE (or Duane) GREGORY is found on Tribal lands at any time after the effective date of this resolution he shall be in

violation of Tribal law and of a lawful order of Tribal Council and a law enforcement officer shall arrest him and take other appropriate legal action against him.

- BE IT STILL FURTHER RESOLVED that this exclusion prohibits EDWARD DEWAYNE (or Duane) GREGORY from entering on or being present on Tribal lands for any purpose EXCEPT AS REQUIRED BY A SUBPOENA issued by the Cherokee Tribal Court or an officer of the Tribe with authority to issue subpoenas.
- 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 Office of the Attorney General on behalf of those authorized under Chapter 2 of the Cherokee Code Amendment: In the "NOW, THEREFORE BE IT RESOLVED" paragraph, strike "24 hours" and insert "immediately."

Arrest Wugshot/Photo

OCA Number:	Arrest Number:	Date Of Arrest:	Arresting Officer:	
0904041017RS	1	04/04/2009	749 - Patrol Officer Robert Sneed	





Name:	(Dewayne	Date	¥-Beirth:	' Age:	Race:	Sex:	Place	Of Birth:
Gregory, Edwa	rd D.)	urne	07/02	1986	22	W	М		
Country Of Citiz	zenship	:	Н	ome Addre	ss:				Home Phone Number:
US - USA (Uni	ted Sta	tes of Amer	ica) E	d Taylor tr	ailer park ((Did Mission R	d.), Cheroke	e, NC 2871	
Occupation:			Employer:			Employer	Address:		· · · · · · · · · · · · · · · · · · ·
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fisc. Number Type: FBI Number:			SID	lumber:		SRN Nun	nber:		
Fingerprint Clas	sificati	on (NCIC):	Fingerprint	Classificat	ion (HENRY): M	ilitary Code:		Military ID Number:

DOB 07/02/86

Edward Duane Gregory Dewayne

w/w



EASTERN BAND OF CHEROKEE INDIANS



The Cherokee Court

EASTERN BAND OF C	ERSUS					
Name and Address of Defendant Edward Gregory			NOTICE OF HEARING ON VIOLATION OF PROBATION			
Race A 1	Sex M		Date of Judgmen 08/03/2009	nt	Length of Sentence	
Date of Birth 7/02/19866	Birth Roll No./ Social Security No.			Supervised Probation	Sentencing Judge	
Defendant's Driver's License No.	Si	ate		inant, If Any (Name, Add CI Probation Office	dress of Department, Phone No.) r	
Offenses(s)						
		VIOL	ATIONS			
TO THE DEFENDANT NAM	ED ABOVE:					
shown. I, the undersigned, fir	nd that there is probab ir supervised probation	le cause to b n that you pa	believe that you ay to the Clerk of	violated: f Court the costs of	court and any additional sums uired payments, with the result	
	rs as of this date as fo	Ilows:	Obligation	Arrearage to Date	Balance Due	
		\$ 1000.	.00	\$ 1000.00	\$ 1000.00	
that judgment, in tha	t you failed, within the at service as directed t	time provide by the proba <i>Hours Re</i> 0	ed to tion officer. quired	ber of hours of com Hours Completed to D 0	munity service specified in ate Hours Due 0	
3. The condition of you	vithin <u>n/a</u> days of the c to assessment	i that you ob	tain a substance	e abuse assessmen fee prescribed by i	t from a licensed facility, law, in that you failed, within	
c. pay the pres						
4. The condition of you fees prescribed by la	supervised probation w, in that you failed to	that you par	rticipate in an alc	cohol treatment pro	gram and pay all treatment	
a. participate in judgment.	a treatment program,	as recommo	ended in your tre	eatment report, for t	he period provided in that	
b. pay all treatment	nent fees prescribed b	y law.				
5. The condition of your fees prescribed by la	supervised probation w, in that you failed to	that you par	ticipate in an ba	tterer's treatment p	rogram and pay all treatment	
	a treatment program t lent fees prescribed b		d provided in tha	t judgment.		

	special probation that y port as required on folk	rou serve an active term of owing date(s):	_ 🗍 hours 🗍 days 🗍 months in custody
7. Other: (Specify)			
This Notice is issued upon i	nformation supplied und	ier oath by the complainant listed	l on reverse, if any, or by the Court's own
motion.			
	N	OTICE OF HEARING	
PLEASE TAKE NOTICE THe location specified below.	IAT a hearing will be he	ld on the violation(s) set forth abo	ove on the date, and at the time and
probation and order you to I	begin serving an active	sentence. Whether or not the Co	the Court may revoke your unsupervised urt finds that you have violated a condition of your probation, and extend the term of
(Check one option) If you fail to appear for th in contempt of court. In a	is hearing, the Court ma ddition, the Court may is	ay issue an order requiring you to ssue an order of arrest for your fa	show cause why you should not be held ailure to appear.
An Order for Arrest has b		hed.	
Date of Hearing	Time of Hearing	Date	
Location of Hearing Cherokee Courthouse		Signature	
Cherokee, Qualla Boundary (NC)	Name (Type or Print)	☐ Magistrate ☐ Judge
	RE	TURN OF SERVICE	
I certify that this Notice Of Hear	ing On Violation Of Sup	ervised Probation was received a	and served as follows:
Date Received	Date Served	Date of Mailing (Probation o	nly) Date Returned
By personally serving this	Notice Of Hearing On	Violation Of Supervised Probation	n on the defendant.
By mailing this Notice Of Community Service Staff	Hearing On Violation Of on the date of mailing s	Supervised Probation to the add	lress shown on the records of the
-	-	ed Probation WAS NOT served for	or the following reason:
Signature		Department or Agency	······
CTC-CR-220 page 2	· · · · · · · · · · · · · · · · · · ·		

© 2002 The Cherokee Court

EASTERN BAND OF CHEROKEE INDIANS THE CHEROKEE COURT PAYMENT AGREEMENT

DATE:08/03/2009

CASE#CR09-913,913

I,Edward Gregory do hereby agree and fully understand that I owe the Cherokee Tribal Court the total amount of

\$1000.00

I further agree to pay monthly installments in the amount of \$83.34 until such time as the debt is paid in full.

First payment is due:09/01/2009

Name and Date:



EAS . _RN BAND OF CHEROKEE INDIANS CHEROKEE TRIBAL COURT CHEROKEE, NORTH CAROLINA

Tribal Court Record Check (since 1/1/2000)

C C	riminal Reco	rd Repo	ort By Roll	Number		
R	toll Number:	EDG1			DOB:	
	Name: Gregory			, Edward	Dewayne	
Roll Number: EDG1			DOB:			
Name: Gregory	, <u>Edwa</u>	ard	Dewayne			
Conviction Date: 10/23/2	007 Sentenci	ng Date		Date of Offense:	6/21/2007	
Case #: CR 07-0902	Charge: F	ailure to Ol	bey a Lawful Or	rder of the Court		
Section: 14-70.22	Failure to C)bey a Law	ful Order of the	Court		
Verdict: Unknown				solidated with		
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Supervised Probation until Fin	e Paid, Community Service	Performed ar	ad Assessment Reco	mmendations complete		
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🗌 Obtain Batter's Program	n Asessment by:					
No contact with Compla	iinant or witnesses	🗌 Rema	ain Gainfully E	mployed		
Other:						
Charge Details:						
Three Strikes Realted Maximum Sentenc 1y/85000			s 🔲 DV Relat m Sentenc	ed offens 🗌 DR/AL		ection
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Name: Gregory , Edward Conviction Date: 7/1/2009 Sentencing Date Date of Offense: 3/25/2009 Case #: CR 09-0319 Charge: Breaking and Entering Section: 14-10.41 aproximate age 25 Verdict: Dismissed- Settled in Mediation Consolidated with Jail time: Suspended Probation Period/ Suspended for: Supervised Probation until Fine Paid, Community Service Performed and Assessment Recommendations complete Active Jail (Probation): Credit for Time served in days: \$0.00 Fine: Pay Costs Pay Attorney Cost Amount Atty: \$0.00 Resitution ordered Amount: \$0.00 Paid to: Heart to Heart fine Community Service work Duration (Hrs): EHC Image: Image:	II Number:	EDG1			DOB:		
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Maximum Sentenc 1y/\$5000 Minimium Sentenc \$250 Infraction	_		alted Offen	H2H Related off	ens 🔲 DV Related	offens 🗌 DR/ALC related o	ffense
	Maximum	Sentenc 1y	\$5000	Minim	ium Sentenc \$250		Infraction

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Name: Gregory Conviction I			DOB: 7	/2/1986		
Conviction [·	. Edward				
	Date: 7/1/2009	Sentencing Date		Date of Offense	e: 3/25/2009	
Case #: CF	09-0320	Charge: Criminal N	lischief			
Section: 14-		aproximate age 25	— ~			
	lismissed- Settled in Me	diation		onsolidated with		
Jail time:			ation Period/ S	,		
Supervised F	Probation until Fine Paid, Con					
Active Jail (e served in days:		
00100 -		Pay Attorney Cos				
Resitution		\$0.00	Paid to:		Heart to Heart fine	
	ity Service work Dura		енс 🗆	-		
	•	Obtain SAA by:	· L	DARE Assessmer	nt Amount:	\$0.00
	atter's Program Asessn	- -				
No contac	t with Complainant or	witnesses Rei	nain Gainfully	Employed		
Other:						
Charge Details:						
	504					
l Number: E	DG1		DOB: 7/2	2/1986		
		, Edward	DOB: 7/2 D	2/1986		
Name: Gregory	ate: 8/5/2009	, Edward Sentencing Date		2/1986 Date of Offense	: 2/19/2009	
Name: Gregory	ate: 8/5/2009	?	D		: 2/19/2009	
Name: Gregory Conviction D Case #: CR Section: 14-	ate: 8/5/2009 09-0491	Sentencing Date	D nd Entering g	Date of Offense	: 2/19/2009	
Name: Gregory Conviction D Case #: CR Section: 14- Verdict:	ate: 8/5/2009 09-0491	Sentencing Date Charge: Breaking ar Breaking and Enterin	D nd Entering g D Co	Date of Offense nsolidated with	: 2/19/2009	
Name: Gregory Conviction D Case #: CR Section: 14- Verdict: Jail time:	ate: 8/5/2009 09-0491 10.41	Sentencing Date Charge: Breaking ar Breaking and Enterin Suspended Proba	D nd Entering g D Co ation Period/ Se	Date of Offense nsolidated with uspended for:	: 2/19/2009	
Name: Gregory Conviction D Case #: CR Section: 14- Verdict: Jail time:	ate: 8/5/2009 09-0491	Sentencing Date Charge: Breaking ar Breaking and Enterin Suspended Prob: munity Service Performed of	D ad Entering g ation Period/ Stand Assessment Rec	Date of Offense nsolidated with uspended for: ommendations complete	: 2/19/2009	
Name: Gregory Conviction D Case #: CR Section: 14- Verdict: Jail time:	ate: 8/5/2009 09-0491 10.41 robation until Fine Paid, Com	Sentencing Date Charge: Breaking ar Breaking and Enterin Suspended Prob: munity Service Performed of	D ad Entering g ation Period/ St and Assessment Rec Credit for Time	Date of Offense nsolidated with uspended for: ommendations complete e served in days:	: 2/19/2009	
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Number	r: EDG	1			DOB:	7/2/1986				
ame: Gr	regory		Edwar	rd						
Сол	viction Date:	8/5/2009	Sentencin	g Date		Da	ite of Offe	ense: 7/	14/2009	
	ase #: CR 09-0	910	Charge: Re	sisting Law	ful Arres	t				
	tion: 14-70.19 dict:					Consolida	ted with			
Jail	time:		Suspended	Probatio	on Perioc	l/ Suspend	ed for:			
<u> </u>	upervised Probatio	n until Fine Paid,	Community Service I			-		lete		
Acti	ive Jail (Proba	tion):		🗌 Cr	edit for T	lime serve	d in days	:		
	Fine:		s 🔲 Pay Attor	ney Cost	Amount	Atty:				
🗔 r	Resitution orde	red Amoun	it:]	Paid to:			🗌 Hear	rt to Hea	rt fine
	Community Sei	vice work D	uration (Hrs):		енс 🗆]				
א 🗌	No use or posse	ss Alcohol – į	🗌 Obtain SAA	by:		🗌 DAR	E Assess	ment Am	ount:	
\Box c	Obtain Batter's	Program Ase	ssment by:							
<u>и</u> П	No contact with	Complainant	or witnesses	🗌 Remai	n Gainfu	illy Employ	ed			
Other:	:									
Charge	Details:									
	Three Strikes num Sentenc		n 🗌 H2H Rela	ated offens Minimium			ens [] [)R/ALC r	elated of	Infraction
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ame: Gregory Conviction Date: 8/5/2009 Case #: CR 09-0912 Section: 14-15.5 Verdict:	Edward	
Case #: CR 09-0912 Section: 14-15.5		
Section: 14-15.5	Sentencing Date Date of Offen	ise: T/14/2009
	Charge: Intoxicated and Disruptive in Public	
	Consolidated with	
Jail time:	Suspended Probation Period/ Suspended for:	
Supervised Probation until Fine Paid, C	Community Service Performed and Assessment Recommendations complet	re
Active Jail (Probation):	Credit for Time served in days:	
Fine: 🗌 Pay Costs	Pay Attorney Cost Amount Atty:	
🔲 Resitution ordered 🛛 Amount	t: Paid to:	Heart to Heart fine
Community Service work Du	uration (Hrs): EHC	
🗌 No use or possess Alcohol 🗌	Obtain SAA by: DARE Assessm	ent Amount:
🗋 Obtain Batter's Program Ases	ssment by:	
No contact with Complainant	or witnesses 🔲 Remain Gainfully Employed	
Other:		
		نیسیا
	DOB: 7/2/1986	
		se: 7/14/2009
ne: Gregory	, Edward	se: 7/14/2009
Conviction Date: 8/5/2009 Case #: CR 09-0913 Section: 14-15.1	, Edward Sentencing Date Date of Offens Charge: Public Intoxication [Infraction]	se: 7/14/2009
ne: Gregory Conviction Date: 8/5/2009 Case #: CR 09-0913	, Edward Sentencing Date Date of Offens Charge: Public Intoxication [Infraction]	se: 7/14/2009
ne: Gregory Conviction Date: 8/5/2009 Case #: CR 09-0913 Section: 14-15.1 Verdict: Jail time:	, Edward Sentencing Date Date of Offens Charge: Public Intoxication [Infraction] Consolidated with Suspended Probation Period/ Suspended for:	
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STATE OF NORTH CAROLINA	In The General Court Of Justice
<u>Haywood</u> County	Before The Clerk
IN THE MATTER OF:	
me(s) By Which Individual To Be Searched May Be Known	CRIMINAL RECORD SEARCH
Edward Newayne (Duane) Gregory	G.S. 7A-109, -308(a)(17), -343(3)
	For DMV Hearing
REQUEST FOR CERTIFIED C	RIMINAL RECORD SEARCH
request that the Clerk of Superior Court conduct a search of the of named above and certify the results of that search for the name(s) li that	
1. THE CLERK WILL SEARCH THE COURT RECORDS FOR STATEWIDE RECORD SEARCH.	ONLY THE COUNTY NAMED ABOVE: THIS IS NOT A
2. Court records are indexed by name only and not by any other	r identifying characteristics.
 The name(s) listed above are all the names by which, to my may be known. 	knowledge, the individual for whom I am requesting this search
4. The Clerk will search for records under all those names, but	only for records under those names.
The fact that no criminal record is found under any of those r this county; the individual may have a record under another i	names does not mean that the individual does not have a record in name.
The fact that a criminal record is found under one or more of individual for whom I am requesting this search; the record r	those names does not mean that the record is a record for the ay be that of another individual with the same or a similar name:
I am solely responsible for any interpretation and use I make responsible for my interpretation or use of the results.	of the results of this search and I understand the Clerk is not
ame And Address Of Requestor (Including City, State And Zip Code)	Signature Of Requestor *
ame And Address Of Requestor (Including City, State And Zip Code)	Signature Of Requestor *
ame And Address Of Requestor (Including City, State And Zip Code)	Signature Of Requestor 1
ame And Address Of Requestor (Including City, State And Zip Code)	Signature Of Requestor ?
CERTI	FICATION
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CERTIN This is to certify that I have searched the indices to criminal a to the present and I have found that no record was indexed by the name(s)	FICATION
CERTIN This is to certify that I have searched the indices to criminal a to the present and I have found that no record was indexed by the name(s) I have found the following excerpt(s) from the public reco	FICATION $\frac{1987}{2}$
CERTIN This is to certify that I have searched the indices to criminal a to the present and I have found that no record was indexed by the name(s)	FICATION
CERTIN This is to certify that I have searched the indices to criminal a to the present and I have found that no record was indexed by the name(s) I have found the following excerpt(s) from the public reco attached page(s). This search is limited as follows: Some automated system information code definitions are incomented.	FICATION actions in this office from given above. ords indexed by the name(s) given above as appears in the
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i DEFENDANT NAME	T OFFENSE	OTRM TRIAL OT FILE NUMBER L
GREGORY, EDWARD, D GREGORY, EDWARD, DE GREGORY, EDWARD, DE		01 08CR 055126 011503 01 02CR 053670 011503 01 02CR 053671
GREGORY, EDWARD, DE GREGORY, EDWARD, DE GREGORY, EDWARD, DE	A RESISTING PUBLIC OFFICER A BREAKING OR ENTERING (M) A MISDEMEANOR LARCENY	011503 01 02CR 053672 052103 01 03CR 051623 052103 01 03CR 051624
GREGORY, EDWARD, DE	A MISDEMEANOR LARCENY	091808 01 08CR 052046

NEXT NAME:

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430 HAYWOODICA INQUIRY J1 08CR 055126FILM:RTNDUNSVR S DOB/AGECR FILING DATE: 111108WARRANTW M 07021986 DL#:GREGORY, EDWARD, DCIT#:TRIAL DATE:655 CHIPPER CURVE RDCSLR:CSLRC:SYLVANC 28779 DEF ATTY: ARRAIGNMENTTYP: R VRA:CHG/ARRN OFFN: M COMMUNICATING THREATS14-277.1COMPLAINANT: SOSA, JASON, DOUGLASISSUED: 111108OFFN DATE: 111008ARRN DATE:MOTIONS DATE:CONT. D: 00 S: 00 C: 00 NR: 00DV CV: N

PLEA VERDICT MODFINECOSTSRESTJUDGEPAIDTO-BE-PAID\$\$\$\$\$CONV OFFN:\$\$\$CONS F/JGMT:SENT LEN:-\$\$\$CONS F/JGMT:PROB:WITHDRAWN:APPEALED TO SUPERIOR:AREA CD:ACCD:HWY:V LIC:TRANS TO SUPERIOR:CDL:NCMV:NHAZ:NTRP/DIST:V ST:V TYP:APPELLATE:

ARREST DATE:CHECK DIGIT:SID:LID: EGWM3106D-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

430 HAYWOODICR INQUIRY 91 02CR 953570FILM:DISPOSEDR S DOB/AGECRFILING DATE: 121202MAGISTRATE ORDERW M 07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0115032059 OLD MISSION RDCSLR:CSLRC:AMWHITTIERNC 28789 DEF ATTY: ALLISON, JANNATYP: AVRA:CHG/ARRN OFFN:M RESISTING PUBLIC OFFICER14-223COMPLAINANT:MONROE, KCPD ISSUED: 121202SERVED: 121202OFFN DATE:12102ARRN DATE:MOTIONS DATE:DISP DATE: 123002CONT.D: 00 S: 00 C: 00 NR: 00DV CV: NDV CV: N

PLEA VERDICT MODFINECOSTSRESTJUDGEPAIDTO-BE-PAIDVD \$\$\$\$CONV OFFN:SENT LEN:-SENT TYPE:CONS F/JGMT:PROB:WITHDRAWN:APPEALED TO SUPERIOR:AREA CD:ACCD:HWY:V LIC:CDL:N CMV:N HAZ:N TRP/DIST:V ST:V CDL:N CMV:N HAZ:N TRP/DIST:V ST:V DEFENDENT TO GO INTO PLACEMENT PER COUNSELOR DUSTY SNIDER

ARREST DATE:CHECK DIGIT:SID:LID: EGWMD-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

430 HAYWOODICA INQUIRY 01 02CR 053671FILM:DISPOSEDR S DOB/AGECR FILING DATE: 121202MAGISTRATE ORDERW M 07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0115032059 OLD MISSION RDCSLR:CSLRC:AMWHITTIERNC 28789 DEF ATTY: ALLISON, JANNATYP: AVRA:CHG/ARRN OFFN: M RESISTING PUBLIC OFFICER14-223COMPLAINANT: MONROE, KCPD ISSUED: 121202SERVED: 121202OFFN DATE:121202ARRN DATE:MOTIONS DATE:DISP DATE: 123002DV CV: N

PLEA VERDICT MOD FINE COSTS REST JUDGE PAID TO-BE-PAID VD \$ \$ \$ CONV OFFN: SENT LEN: - SENT TYPE: CONS F/JGMT: PROB: WITHDRAWN: APPEALED TO SUPERIOR: AREA CD: ACCD: HWY: V LIC: TRANS TO SUPERIOR: CDL: N CMV: N HAZ: N TRP/DIST: V ST: V TYP: APPELLATE: DEF. TO GO INTO PLACEMENT PER COUNSELOR DUSTY SNIDER

ARREST DATE:CHECK DIGIT:SID:LID: EGWMD-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

430 HAYWOODICA INQUIRY 01 02CR 053672FILM:DISPOSEDR 3 DOB/AGECRFILING DATE: 121202MAGISTRATE ORDERW M 07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0115032059 OLD MISSION RDCSLR:CSLRC:WHITTIERNC 28789 DEF ATTY: ALLISON, JANNATYP: AVRA:CHG/ARRN OFFN: M RESISTING PUBLIC OFFICER14-223COMPLAINANT: MONROE, KCPD ISSUED: 121202SERVED: 121202OFFN DATE:121202ARRN DATE:MOTIONS DATE:DISP DATE: 123002CONT. D: 00 S: 00 C: 00 NR: 00DV CV: NDV CV: N

ARREST DATE:CHECK DIGIT:SID:LID: EGWMD-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

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430 HAYWOODICA INQUIRY 01 03CE 051623FILM:DISPOSEDR S DOB/AGECRFILING DATE: 051003MAGISTRATE ORDERW M 07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0521032059 OLD MISSION RDCSLR:CSLRC:WHITTIERNC 28789 DEF ATTY: WAIVEDTYP: W VRA:CHG/ARRN OFFN: M BREAKING OR ENTERING (M)14-54 (B)COMPLAINANT: MCMAHAN, SCPD ISSUED: 051003OFFN DATE: 050903ARRN DATE:MOTIONS DATE:CONT. D: 00 S: 00 C: 00 NR: 00DV CV: N

PLEAVERDICT MODFINECOSTSRESTJUDGEPAIDTO-BE-PAIDGLGUJU \$\$\$\$DEDCONV OFFN:MBREAKING ORENTERING (M)14-54 (B)SENTLEN:045 D -SENT TYPE: CCONS F/JGMT:PROB:012 MUNSUPERVISED WITHDRAWN:APPEALED TO SUPERIOR:AREACD:ACCD:HWY:VLIC:CDL:NCMV:NHAZ: NTRP/DIST:VST:CREDITFORANYPRETRIALCONFINEMENT, REMITCOST, WAIVECSFEENOTTOHAVEANYCONTACTWHATSOEVERWITH ORBEONPREMISESOFHENRYGREGORY, REMAINEMPLOYED ORATTENDSCHOOL, VIOLATEARRESTDATE:051003CHECKDIGIT:P80195FSID:NC1036237ALID:EGWMD-430NEXT#:PF2 - NAMEINQUIRYADDLCHARGES:

430 HAYWOODICA INQUIRY 01 03CR 051624FILM:DISPOSEDR S DOB/AGECRFTLING DATE: 051003MAGISTRATE ORDERW M 07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0521032059 OLD MISSION RDCSLR:CSLRC:AMWHITTIERNC 28789 DEF ATTY: WAIVEDTYP: W VRA:CHG/ARRN OFFN: M MISDEMEANOR LARCENY14-72 (A)COMPLAINANT: MCMAHAN,SCPD ISSUED: 051003SERVED: 051003OFFN DATE:050903ARRN DATE:MOTIONS DATE:DISP DATE: 052103CONT. D: 00 S: 00 C: 00 NR: 00DV CV: NDV CV: N

PLEAVERDICT MODFINECOSTSRESTJUDGEPAIDTO-BE-PAIDGUGUJU \$\$\$\$DEDCONVOFFN:MMISDEMEANORLARCENY14-72 (A)SENTLEN:-SENT TYPE:CONS F/JGMT:03CR 051623 01PROB:WITHDRAWN:APPEALED TO SUPERIOR:AREACD:ACCD:HWY:VLIC:TRANS TO SUPERIOR:CDL:NCMV:NHAZ:NTRP/DIST:VY

ARREST DATE: 051003 CHECK DIGIT: P80195F SID: NC1036237A LID: EGWMD-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

430 HAYWOODICA INQUIRY 01 03CR 052046FILM:DISPOSEDP. S.DOB/AGECRFILING DATE: 051008WARRANTW. M.07021986 DL#:GREGORY, EDWARD, DEWAYNECIT#:TRIAL DATE: 0918081868 SKYLAND DRCSLR:CSLRC:AMSYLVANC 28779 DEF ATTY: WAIVEDTYP: WVRA:CHG/ARRN OFFN:M.MISDEMEANOR LARCENY14-72 (A)COMPLAINANT:KELPER, KEITH, ANDREWISSUED: 051008SERVED: 051008OFFN DATE:051008ARRN DATE:MOTIONS DATE:DISP DATE: 091808CONT.D: 01 S: 00 C: 00 NR: 00DV CV: NDV CV: N

PLEAVERDICTMODFINECOSTSRESTJUDGEPAIDTO-BE-PAIDGUGUJU\$\$\$DEDCONVOFFN:MMISDEMEANORLARCENY14-72 (A)SENTLEN:030 D -SENT TYPE: CCONS F/JGMT:PROB:012 MUNSUPERVISED WITHDRAWN:APPEALED TO SUPERIOR: 'AREACD:ACCD:HWY:VCDL:NCMV:NHAZ: NTRP/DIST:VST:VTYP:HCJ/NOCONTACTWITHKEITHKELPER, VIOLATENOLAWSVLAWSV

ARREST DATE:CHECK DIGIT:SID:LID: EGWMD-430NEXT#:PF2 - NAME INQUIRYADDL CHARGES:

490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, D R=RACE: S=SEX: DOB: GREGORY, EDWARD, D 2059 OLD MIS S=M R=W DOB=07021986 · 02CR 052679 LID: EGWM3106D-490 OF:121002 (M) CONSUME BEER/WINE UNDERAGE DISMISSED BY DA 012203 CR SPEC. COND: IN JUVENILE IMPATIENT TREATMENT - + -- + --+-GREGORY, EDWARD, D 2059 OLD MIS S=M R=W DOB=07021986 02CR 052680 LID: EGWM3106D-490 OF:121002 (M) RESISTING PUBLIC OFFICER DISMISSED BY DA 012203 CR SPEC. COND: DEF IN JUVENILE IN PATIENT TREATMENT - ÷ -- + -- + --1254 OLD MIS S=M R=W DOB≈07021986 06CR 051648 GREGORY, EDWARD, D LID: EGWM3106D-490 OF:062706 (M) INTOXICATED AND DISRUPTIVE DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 OF:062706 (M) POSS MTEV/U-WN BY 19/20 DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF: OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, D R=RACE: S=SEX: DOB: GREGORY, EDWARD, D 1254 OLD MIS S=M R=W DOB≠07021986 08CR 051358 LID: EGWM3106D-490 OF:060708 (M) SECOND DEGREE TRESPASS DISMISSED BY DA 090808 CR SPEC. COND: PLEA - -+ ---+-- + --+-EASTWOOD TRL S=M R=W DOB=07021986 08CR 051391 GREGORY, EDWARD, D LID: EGWM3106D-490 OF:060608 (M) MISDEMEANOR LARCENY 090808 CR GUILTY FINE/COSTS\$ 121.00 REST\$ SENT:090- D TYPE:C PROB:NONE NOT PAID SPEC. COND: JCJ NT CONTACT W/ CARLOS RAMIREZ ATTY FEES \$200 NT PD -+- -+-655 CHIPPER S=M R=W DOB≠07021986 GREGORY, EDWARD, D 08CR 051401 LID: EGWM3106D-490 OF:061208 (M) RESISTING PUBLIC OFFICER DISMISSED BY DA 090808 CR SPEC. COND: PLEA

OF:OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISFOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, D R=RACE: S=SEX: DOB: GREGORY, EDWARD, D 655 CHIPPER S=M R=W DOB=07021986 09CR 050570 LID: EGWM3106D-490 OF:022509 (M) BREAKING OR ENTERING (M) DISMISSED BY DA 030209 CR SPEC. COND: PW DECEASED

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OF:OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

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END

490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 05CR 051151 LID: EGWMD-490 OF:042205 (M) MISDEMEANOR LARCENY DISMISSED BY DA 080905 CR SPEC. COND: COMPLIED W/MED - + --+- -+- -+-GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 05CR 052896 LID: EGWMD-490 OF:121606 (M) BREAKING OR ENTERING (M) DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052897 -+-- ÷ -- + -LID: EGWMD-490 OF:121606 (M) INJURY TO REAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF:OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: 2059 OLD MIS S=M R=W DOB=07021986 06CR 052898 GREGORY, EDWARD, DEWAYNE LID: EGWMD-490 OF:121606 (M) COMMUNICATING THREATS DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 - + --+-- ----GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052899 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY GUILTY 013007 CR FINE/COSTS\$.00 RESTS SENT:045- D TYPE:A PROB:NONE SPEC. COND: JCJ - + -- ++ -- - -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052900 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTYGUILTY042407FINE/COSTS\$130.00 REST\$1401.37 SENT:045-D TYPE:C PROB:018M SUPV. 042407 CR SPEC. COND: REST JOINTLY WITH TONY GREGORY NO CONTACT WITH ANY VI OF:121606 (M) MISDEMEANOR PROBATION VIOL PROCESS REVOKED 100907 CR SPEC. COND: NCDOC

OF: OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052901 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 - + -- + -- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052902 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED EY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 - + --+-- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052903 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF: OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

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190 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: 2059 OLD MIS S=M R=W DOB=07021986 06CR 052904 GREGORY, EDWARD, DEWAYNE LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA · 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 ++-~ + -- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052905 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052906 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF: OFFENSE DATE DOB=BIRTH (M) MISD (F) FELONY (T) TRAFFIC

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052907 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052908 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 - + --+-- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB≈07021986 06CR 052909 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF: OFFENSE DATE DOB=BIRTH (M) MISD (F) FELONY (T) TRAFFIC

490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052910 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 -+-- + + - + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 06CR 052911 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 ~÷--+-- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R≠W DOB=07021986 06CR 052912 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900

OF: OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB≈07021986 06CR 052913 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900 - + -- + --+-GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOE=07021986 06CR 052914 LID: EGWMD-490 OF:121606 (M) INJURY TO PERSONAL PROPERTY DISMISSED BY DA 013007 CR SPEC. COND: PLED IN 06CR52899 AND 06CR52900
 -+ -+ -+

 GREGORY, EDWARD, DEWAYNE
 2059 OLD MIS S=M R=W DOB≈07021986
 07CR 051597
 - + - -+-- 4 -LID: EGWMD-490 OF:052807 (M) RESISTING PUBLIC OFFICER DISMISSED BY DA 072707 CR SPEC. COND: SUPERIOR CT PLEA

OF: OFFENSE DATE | DOB=BIRTH | (M) MISD | (F) FELONY | (T) TRAFFIC |

490 JACKSON
072009 CRIMINAL CHECK-
PENDING--DISPOSED--MOTOR V.--CONVICTED
CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE
R=RACE:
S=SEX:
DOB:DOB:GREGORY, EDWARD, DEWAYNE
LID:
EGWMD-490
OF:052807 (M) CONSUME BEER/WINE UNDERAGE
SPEC. COND:
SUPERIOR CT PLEADISMISSED BY DA072707 CRGREGORY, EDWARD, DEWAYNE
SPEC. COND:
SUPERIOR CT PLEA-+--+--+-GREGORY, EDWARD, DEWAYNE
SPEC. CONSOLIDATED FOR JUDGMENT WITH 07CRS051875 51-+--+-

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OF: OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC

MORE -

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: 2059 OLD MIS S=M R=W DOB=07021986 GREGORY, EDWARD, DEWAYNE 07CR 051875 LID: EGWMD-490 OF:063007(F) FELONY POSSESSION SCH IV CSTRANSFERRED TO S.C. 071807OF:063007(F) FELONY POSSESSION SCH IV CSGUILTY071807 CR 071807 CRS FINE/COSTS\$ 230.50 REST\$ SENT:006-008M TYPE; I PROB:024M SUPV. SEE ALSO: 07CRS051874 SPEC. COND: NCDOC WRNTLS SRCHS STLN GDS C/S NT HAVE USE POSS BBU OF:063007 (F) FELONY PROBATION VIOLATION PROCESS REVOKED 100807 CRS SPEC. COND: NCDOC DEF ADMITS VIOL PROB REVOKED TO SERV ACT SENT 5 -+--+--+-GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 07CR 051876 LID: EGWMD-490 OF:063007 (M) POSSESS DRUG PARAPHERNALIA DISMISSED BY DA 072707 CR SPEC. COND: SUPERIOR CT PLEA

OF: OFFENSE DATE DOB=BIRTH (M) MISD (F) FELONY (T) TRAFFIC

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190 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY, EDWARD, DEWAYNE R=RACE: S=SEX: DOB: 2059 OLD MIS S=M R=W DOB=07021986 07CR 051877 GREGORY, EDWARD, DEWAYNE LID: EGWMD-490 OF:063007 (M) POSSESS MARIJUANA UP TO 1/2 OZ DISMISSED EY DA 072707 CR SPEC. COND: SUPERIOR CT PLEA - + -- + -- + -GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 07CR 051878 LID: EGWMD-490 OF:063007 (M) GO ARMED TO TERROR OF FEOPLE DISMISSED BY DA 072707 CR SPEC. COND: SUPERIOR CT PLEA GREGORY, EDWARD, DEWAYNE 2059 OLD MIS S=M R=W DOB=07021986 07CR 051879 OF:063007 (M) ETHNIC INTIMIDATION DISMISSED BY DA 072707 CR SPEC. COND: SUPERIOR CT PLEA

OF:OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC *END*

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490 JACKSON 072009 CRIMINAL CHECK- PENDING--DISPOSED--MOTOR V.--CONVICTED CRITERIA- NAME: GREGORY,EDWARD R=RACE: S=SEX: DOB:

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GREGORY, EDWARDPO BOX 1261S=MR=WDOB≈0702198605CR003146OF:100405(M)CONSUME BEER/WINE UNDERAGEDISMISS WITH LEAVE121106CR

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OF:OFFENSE DATE DOB=BIRTH (M)MISD (F)FELONY (T)TRAFFIC *END*

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CIDE	-	Crim	10.62 a Incide		operty Los	st, M	islaid, o	or Delivere	Comple			f Incident		Hrs_		_!		Ĺ	Offense Tr	Hrs ract
ž	#2	<u> </u>		····					Comple	ete 10			BRANCH	ROAD,	Cheroke					<u> </u>
	#3	Crim	e Incide	nt					Comple	•	mise Ty <u>- Hon</u>		ctim - Othe	r Dweilir	1g			Residence le Femily		amily
Q	How	Attack	ed or C	ommitted										Forcible		Wea	apon / "	Tools		
	# of	Victims 1		ne: E Society <i>Religious</i>	Person Governi D.L.E. C	ment		Financial Ins	ititute Other/Unk		y: i roken Bo ste <i>ma</i> l		Minor Severe Lad	erations	oss of Tee er Major	th		Drug/Alco	ohol Use:	משפח
VICTIM	V1			ess Name (L	ast, First, M							Victim of Crime #	DOB / Age		Race	Sex F		ationshlø Offender BG	Resident Resident Non-F	ent Resident
VID	Hom	e Addre	S5													Hom	e Phone	e		
			ame/Add		Cherokee,	NC	28719										ness Pf 3) 497	юле ~5600		
	VYR		Make		Model		Sty	le	Color		Lic/Lis			Vin		<u>) (</u>				
•	r			Denote V2 \			_	er than victin				(if other th								
	Code	<u>⊢</u> Реі №ап		Business First, Middl		ity	Gover	rnment L) Financial Instit	iute L) Religi	ous L	L.E. Officer Li	ne of Duty		n DO	B/Ag	e	Race	Sex
G	Home	Addre	55									····-		<u> </u>		Hor	ne Pho	ne		
יסרעו	Emple		me/Add								- <u> </u>		<u></u>			Bus	iness F			
s IN											7					<u> </u>				
OTHERS INVOLVED	Type: Code	Nam		Business First, Mlddl	e)	ty L	Goven		Financial Institu		Religio		L.E. Officer Lir	e of Duty	U Other		own 3 / Age	 9	Race	Sex
ò	ĺ														Crime #	•		I		
	Home	Addres	35									·			L	Hon	ne Phor	1 0		-1
	Emplo	yerNa	me/Add	ress	<u> </u>											Bus	iness F	hone		
	L = Lo: (Check		G = Stole		ecovered) amaged	Z = Seiz	ed 8 = Burr	ned	C = Cou	interfeit / F	forged F =	Found						
	Victim		Status		lue				·	Propert	v Descr	iption			Mak	<u>ke/Mod</u>	el	Se	rial Numb	<u>er</u>
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		-	icles Sto	n						Numbe	er of Veh	icles Reco	vered					<u> </u>		
₽	Officer Lieute		Leste	r R. Sway	ney			0# Offic 02	er Signature					Superv	risor Signi	ature				
SU	Compla	linant \$	Signatur	e				<u> </u>	Status urther Investigat	tion	je	ase Disp	ded 🗌 J	uvenile/No			-	dition Declin	ned	
STATUS				_				🔳 C	active losed/Cieared losed/Leads Ext	hausted	10		by Arrest by Arrest by A f Offender	nother Age	e to Coope ency cution Dec		ជា	ocated		2

ICIDENT/INVESTIGATION REPC

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Status Codes	i i = L	ost	S = Stolen R	= Recovered D	= Damaged	Z = Seize	d 5=	Burned C≃C	ountern	∋it / For o e	ed	F = Fou	ind				
	DCI	Status	Quantity	Type Measure			Suspect	ed Type						1		activity for ea	
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							<u>.</u>						_				
OFFENDER	Offende Alcohol	/Drugs	☐ Yes ☐ Un! ☐ No	Age: 20 F	ace: W_S	ex: M	Age;	Race:	Sex:		Age:	ł.	Race:	Sex	<u></u>	Primary (Resident	Status ent
HO I	Comput	er			ace: Se	ex:	Age:	Race:	Sex:		Age:	1	Race.	Sex	:		
		ORY,	t, Middle) EDWARD DV	<u> </u>		Alias or N ED ; LIL Business	ickname L E				,	Home A	ddress			D, CHERO	KEE, NC 28
	occupat																
	DO8 / Aç	e		Race S	iex Hel <u>c</u>	iht V	Neight	Build	1	Hair Co	olor	Hair S	Style	Hair L	èngth	Eye Color	Glasses
СT	07-02	-1986	20	w	M 5'0	8"	145		:	BRO	0					BRO	
SUSPECT	Scars, M	arks, Ta	toos, or other di	stinguishing featu	res (i.e. limp,	foreign acce	ent, volce	characteristics)		-							
s I	Hat	-	Jacket	Shirt/Blouse		Tie/Scar	F	Coat	/Suit			Pants/D)ress/SI	kirt		Socks	Shoes
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ł	VYR	Mak	•	Model	Style		Color	Lic/Lis				Vin					
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WITNESS									I								
Ĩ	Home Ad	dress				Home Pho	one		Emplo	yer		L	<u> </u>		Phon	e	
	Suspect i	fate / B	ias Motivated;	Yes 🗌 No 🛛]						-						
	Narrative This	offi	cer respo	onded to t	he abov	e locat	tion a	and upon a	arri	val w	vas	met	by K	eri	Smok∈	er who	
ARRATIVE	state	d Ed	ward Greg	jory had s	tolen h	er mone	ey, ar	nd ran of	f in	to th	ne w	oods	. Mr	s. Sı	noker	advise	d she
IAR	had Ş	400.	00 missir	ng before	she wen	t to wo	ork ar	nd the onl	ly p	erson	ı le	ft a	lone	was	Mr.	Gregory	. She
2	then	stat	ed when s	he got of	f work	today s	she pi	cked him	up	in to	wn	and	took	him	back	to the	
	resid	ence	. She tol	<u>d him bef</u>	ore I t	ake you	ı home	e we are g	join	g to	fin	d th	at m	oney	. Aft	er sear	ching
	the r	esid	ence she	asked if	he had	the mor	ney ar	id he stat	ted 1	10. S	She -	obse	rved	his	hand	l in one	of
Ļ	his s	hort	pockets	and reach	ed in a	nd pull	led ou	it some mo	опеу	and	tha	t wh	en h	e too	ok of	f. Mrs.	
-	Smoke	r wa	s advised	she coul	d press	charge	es aga	inst Mr,	Gree	Jory	for	the	ft o	f mor	ney.		
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∠	#2	0	Incide								Chere Premis		· · · ·	e Departme	nt, Cher	rokee, N			sidence	Type	
	#3		- 1101010							Complete	1			stitution				_		Multi Fr	amily
ОW	How	Attack	ed or C	ommitted											Forcible	⊡ N/A	Weap	oon / To	ols		
	# of 1	Victims	· · · · ·	e: K P Society	erson Governr		usiness	Financia	il înstitute		Injury:		None nes	Minor Severe Lac		oss of Tee	th		Drug/Alco	hoi Use:	own
] Tvictin		Religious ess Name (Li	L.E. C			oty		r/Unk	🗆 Intern	al I	Ü Ur Victim	DOB / Age	Oth	er Major Race	Sex	L	No Ionship	Resident	Status
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		oyer Na Za Hul		ino trail, C	herokee,	NC	28719											497-			
	VYR		Make		Model		Sty	rte		Calor	Lic/	(LIS			Vin						
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ЧËR	Type: Code	L] Pen Nam		Business First, Middle	Sociei	ty	Gover	n/nent	- Fina	ncial Institute	e 🗍 Re	eligio	us 🗋	L.E. Officer Lin	e of Duty	Victin	r/Unknow			Race	Sex
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Status Codes	L=1	LOST	S = Stolen R =	Recovered	D = Dan	naged	Z = Seize	5 b	= Burni	ed C=C	Counterfe	eit / Forge	€d	F = Fou	und				
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gs		Statu		Type mensure			,						Pos	sess	Euy	Sale	Mig.	Importing	Operating
DRUGS					+														
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OFFENDER	Offende Alcoho Compu	l/Drugs		Offender 1 Age: 20	Race: \	N Sei	к <u>М</u>	Age:		Race:	Sex:		Age:	I	Race:	Sex		Primary (Resident	Status ent esident
ö				Age:	Race:	Se		Age;		Race:	Sex:]	Age:		Race:	Sex	:	П Uлкло	wn
			rst, Middle) '. EDWARD DW	/AYNE			Afias or N ED ; LII		•				- i	Home A WRIG				D, CHERO	KEE, NC 28
	Occupa	tion					Business	Address	5					••					
	DOB / A	ge		Race	Sex	Heigh	nt V	Weight		Build		Hair C	olor	Hair	Style	Hair L	ength	Eye Color	Glasses
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SUSPECT	Scars, M	arks, I	latoos, or other dis	tinguishing feat	ures (i.e	. limp, f	oreign acce	ent, voic	e chari	acteristics)									
υ Ο	Hat		Jacket	Shirt/Blou	50		Tie/Scarl	Ī	-	Coat	t/Suit			Pants/I	Dress/S	kirt		Socks	Shoes
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NARRATIVE			ce departm						· · · ·								<u> </u>		
z	in re	efer	ence to he	r incide	nt si	ne re	portec	d on	06-	27-07,	whic	ch a	cop	y is	att	acheo	d for	review	
	Also	att	ached for	review i	s_the	e rep	ort ta	ken	on	06-27-	07.1	irs.	Smo	ker	in h	er wi	citte	n state	ment
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INCI	#2	Crim	e Incide	nt					Attemp	·		N, Che	rokee, NC	28719					ffense Tra	ct
	#3	Crim	e Incide	nt	·				Attemp		emise T 2 - Hig		oad/Street,	_) Single i		Type Multi Fa	mily
QW	1			ommitted										Forcible		Weap	ion / Too	ols		
			· · · ·	PEDEST	RIAN Ierson	<u></u>	siness								ss of Teet					
	# of	Victims		se:	Governr	nent		nancial Instit	lute Diher/Unk		ry: Broken B nternal	ones_						Yes No	hol Use:	wn
R	V1	Victin	n/Busin	ess Name (L	ast, First, Mi	ddle)						Victim of Crime #	DOB / Age		Race	Sex			Resident 1	nt sident
VICTIM	Home	e Addre										<u> </u>	<u> . </u>		<u> </u>	Home i	Phone	l	🗋 Unknov	/n
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SUSPECT	Scars, M	arks, Ta	toos, or other di	stinguishing feature	s (i.e. limp, f	oreign acce	int, voice	characteristics)	· · · ·			<u> </u>				•
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ŀ	Was Suspect Armed? Type of Weapon Direction of Travel Mode of Travel																
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	WAS A	MR	EDWARD GF	EGORY, I A	SKED MF	GREGO	DRY WH	IY HE RAN	AND	HE	STAT	ED TH	LAT	HE TI	IOUGH	TT THAT	
Γ	SOMEC	NE W	AS GOING	TO JUMP HI	M. MR	GREGOR	Y WAS	TERRY S	EARC	HED .	AND 7	TRANS	POR	TED 1	го на	IS SISTE	RS
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		Attack	ed or C	ommitted							1	<u>-</u> .	<u></u>	Forcible			Single Fami on / Tools	اللا ا	Multi Far	nily
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SU	_		Signatu				<u> </u>	Ca		Investigatio	n	Case Disp	nded 🗌 Ji	venile/No					·	
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ICIDENT/INVESTIGATION REPC

Page 2

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CONTINUATION PAGE

1. AGENCY	2. ORI	3. CONTINUATION TO:	4. OCA FILE NO.
Cherokee Indian Police Department	NC0870200	I INVESTIGATION ☐ ARREST	0810051819JO
Officer Name / ID	Officer Signature	Date / Time Submitted	Page 3
Patrol Officer Jason S. Owl - 729			of _3

Suspect(s)

	, First, Middle) RY, EDWARD DV	AYNE			as or Nickname D ; LIL E			Home Address WRIGHTS	CREEK ROAL	D, CHEROKE	E, NC 287
Occupation					Business Address						
DOB / Age	<u> </u>	Race	Sex	Height	Weight	Build	Hair Color	Hair Style	Hair Length	Eye Color	Glasses
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Scars, Mark	s, Tatoos, or other dis	tinguishing fe	atures (i.	.e. limp, forei	gn accent, voice cha	racteristics)					
Hat	Jacket	Shirt/E	louse		Tie/Scarf	Coatis	Sult	Pants/Dress/S	ikirt	Socks	Shoes
Was Suspec	ct Armed?	<u> </u>	Type of	Weapon		Din	rection of Travel		Mc	de of Travel	

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ING	#2 #3	Crim	e Incide	ent					Comp	lete pt P	Premise T	уре	reek Rd, Ci ctim - Singi		_	Vic	tim Resid		-	mily
MO	1		ced or C	Committed					L					Forcible Yes		Weap	on / Tools			
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VICTIM	V1		n/Busin	ess Name (La Dorris Smit	ast, Fîrst, Ma			<u>, </u>				Victim of Crime # 1	DOB / Age	00	Race	Sex M	Relation: To Offen	ider [Resident 3 Resider Non-Re Unknov	nt ssident
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ILVED	Home	e Addre	55													Home	Phone			
INVO	Empl	oyer Na	ame/Adi	dress												Busin	ess Phon	e		
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CONTINUATION PAGE

1. AGENCY	2. ORI	3. CONTINUATION TO:	4. OCA FILE NO.
Cherokee Indian Police Department	NC0870200		0810051511KL
Officer Name / ID	Officer Signature	Date / Time Submitted	Page _2
Patrol Officer Keithen Locklear - 745			cf <u>3</u>

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Suspect(s) Name (Last, First, Middle) Alias or Nickname Home Address WRIGHTS CREEK RORD, CHEROKEE, NC 287 GREGORY, EDWARD DWAYNE ED; LILE Occupation Business Address DOB / Age Glasses Race Sex Height Weight Build Hair Color Hair Style Hair Length Eye Calor 07-02-1986 | 22 BRO W М 5'08" 145 BRO Scars, Marks, Tatoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics) Shirt/Blouse Hat Tie/Scarf Coat/Suit Pants/Dress/Skirt Jacket Socks Shoes Was Suspect Armed? Type of Weapon Direction of Travel Mode of Travel

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	#3	Crim	e (ncide	nt					Attempt	Premise 62 - Hi	••	oad/Street,	etc.		- Ł.		esidence Family		Family	,
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Page 2

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Occupation Business Address	
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Hat Jacket Shirt/Blouse Tie/Scarf Coat/Suit Pants/Dress/Skirt Socks	Shoes
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Was Suspect Armed? Type of Weapon Direction of Travel Mode of Travel	vel
VYR Make Model Style Color Lic/Lis Vin	
Name (last, first, middle) DOB / Age Race Sex OCA	
Home Address Home Phone Employer Phone	
Suspect Hate / Bias Motivated: Yes 🗆 No	
ON 11/29/2008 AT 2106HRS, I RESPONDED TO US HIGHWAY 19N, IN REFERENCE TO A INTOXICATED	
PEDESTRIAN WALKING DOWN THE HIGHWAY. UPON ARRIVAL, I VIEWED A MALE SUBJECT WALKING ALL	OVER
THE ROAD, AS I STOPPED MY PATROL VEHICLE THE MALE SUBJECT STARTED TO RUN BUT FELL INTO	гне
BRUSH, WITH TASER DRAWN I HAD THE SUBJECT TO STAND UP AND WALK TO MY PATROL CAR. THE SU	BJECT
WAS A MR EDWARD GREGORY, I ASKED MR GREGORY WHY HE RAN AND HE STATED THAT HE THOUGHT TH	AT TA
SOMEONE WAS GOING TO JUMP HIM. MR GREGORY WAS TERRY SEARCHED AND TRANSPORTED TO HIS SI	
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SOMEONE WAS GOING TO JUMP HIM. MR GREGORY WAS TERRY SEARCHED AND TRANSPORTED TO HIS SI	

2 #2 Crime Incident Old I #3 Crime Incident Attempt On - Premis On - Q How Attacked or Committed	h Day Yr Time Hon of Incident Mission road, Cherokee, NC 2 se Type Home of Victim - Single Famil Forcible Yes None El None Minor	Month 8719 ly Dwelling	Day Victim Ro G Single Weapon / To	Vr Off esidence Ty Family	_	Hrs.
#3 Crime Incident Image: Crime Incident Premis #3 How Attacked or Committed 01 -	se Type Home of Victim - Single Famil Forcible Service Forcible Pres None Minor In Bones Severe Lacerations nal Victim DOB / Age Victim DOB / Age	y Dwelling	g El Single Weapon / To	e Family	_	ımily
O S How Attacked or Committed	Fortible Fortible Ses INONE Minor I en Bones Severe Lacerations nal Unconscious Ott Victim DOB / Age of	N/A	Weapon / To			amily
	BI None ☐ Minor ☐ I en Bones ☐ Severe Lacerations nal ☐ Unconscious ☐ Oth Victim DOB / Age of ☐					
# of Victims Type: Image: Person □ Business Injury: □ Society □ Gavernment □ Financial Institute □ Brok 1 □ Religious □ L.E. Officer Line of Duty □ Other/Unk	Victim DOB / Age				ol Use:	חשפ
V1 Victim/Business Name (Last, First, Middle) Gregory, Amanda Home Address		w	Sex Relat To O	tionship R Affender C	Resident A Reside J Non-Re J Unknov	ent esident
 Old Mission road, Whittier, NC 28789 Employer Name/Address 	<u></u>		Business Pho	· · · · ·		
	/Lis Vin					
Type: Person Business Society Government Financial Institute F Code Name (Last, First, Middle)	rson (if other than victim) Religious 🔲 L.E. Officer Line of Duty		/Unknown DOB / Age		Race	Sex
Home Address C Employer Name/Address Employer Name/Address			Home Phone Business Ph			
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Employer Name/Address			Business Ph			
Status L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C : Codes (Check "OJ" column if recovered for other jurisdiction) Victim Victim	= Counterfeit / Forged F ≃ Found					
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DCI Status Quantity Type Measure Suspected Type Possess Bu			
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DQB / Age Race Sex Height Weight Build Hair Color Hair Style		gin Eye colo	0185564
Scars, Marks, Tatoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics)			
State Quantity Type Mussure Butpetite Type Check by 16 Jupits State State			
Hat Jacket Shirf/Blouse Tie/Scarf Coat/Suit Pants/Dress	s/Skirt	Socks	Shoes
Was Suspect Armed? Type of Weapon Direction of Travel		Mode of Travel	
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Home Address Home Phone Employer	r	Bhann	
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Suspect Hate / Bias Motivated: Yes 🗍 No 🗍	<u>h</u>		
Narrative		···	. <u>.</u>
I responded to the Kevin Smith Residence in reference to an unknown	nale tha	nt had bee	en
chased from inside the residence. I spoke with Kevin Smith who lives at	the res	sidence.	Kevin
informed me that he had gone outside to take care of his dog and no one	was insi	de. Kevi	n
informed me that as he went inside to check the caller I.D., he saw a ma.	le_subje	ect run ou	t of
his bedroom and out the door. I asked Kevin if the door was locked and H	ne said	that it w	as
not. Kevin said he recognized the man, but only knew that his name was H	ld. Kev	in said t	he man
was wearing shorts and a white flannel shirt and told me that he thought	that he	lived ju	st up
the road and gave me directions.			
I went to 2059 Old Mission Road where Kevin had informed me the man r	night li	ve. I sp	oke
	Amanda	told me	that
with Amanda Gregory and asked if a man named Ed lived at this residence.	ier tha	t day. I	asked
		t time ch	
he brother Ed Gregory had been there, but she had not seen him since earl	the las	C CIME SH	e saw
he brother Ed Gregory had been there, but she had not seen him since earl Amanda if she could tell me what he was wearing and she informed me that			
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CIDENT/INVESTIGATION REPO.

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í		Applicable/Non	e	Order fr	or Arrest	Citati		Warrant	Min	ik Brar	nch Rd., C	herokee,	NC 28	719			
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ENVIONESTICATION REPO

NARRATIVE WITNESS

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couch, and she wanted both to leave. I was escorting JD out the door and he advised that Edward had pulled a knife on him and that's why he tackled him on the couch. JD was released, but was advised to go to another residence. Edward was transported to Swain Co. for a hold til sober, both Edward and JD had been drinking. Amanda Gregory was also at the residence, along with infant child.

		ncy Nar		lian Polic	e Denar	ime:			 	NCIDE	RT/I	IN/	/EST	IGATIC	al.		14	172	2WT		-
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Ž	OF	FEND	ER W	AS INTO	CATED			FROM	POLIC	E			. = "			□ N/A					
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CIDENT/INVESTIGATION REPO

Page 2

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0907141722W	-

Status Codes	L = L	os;	S = Stolen P	= Recovered D =	Damaged	Z = Seize	ed ∃≖	Burneo C =	Сорпсел	ieit / Forg	ed F	= Ρουτ	าป					
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WITNESS									<u></u>						12.			
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CONTINUATION PAGE

1. AGENCY	2. ORI	3. CONTINUATION TO:	4, OCA FILE NO.
Cherokee Indian Police Department	NC0870200		0907141722WT
Narrative		1 SOFFLEHIENTARY INV.	<u> </u>
	·····		. <u></u>
Mr. Gregory was cursing and screaming	as he was being escort	ed (walking) to the polic	e cars to be
transported "fuck you pigs," "did you	find a gun," "what am	I being charged with," á	"I wanna speak
to a magistrate." Upon being placed	inside the police car	to be transported (driver	n) to the
police department Mr. Edwards was scr	eaming; "I will gutt yo	ι, you fucking pig," "you	n fucking have
no idea who you are messing with, " "I	will fucking bash your	face in," " I am goona f	uck you up," 4
"Just you wait you fucking bitch." As	Mr. Gregory arrived to	the police department he	was told
several times to calm/sit down of whi	ch Mr. Gregory continue	d to scream and curse out	loud. As Mr.
Gregory was located inside the holding	g cell of the police de	partment when he was issu	led a
alchosensor by Officer Owle of which		· · · · · · · · · · · · · · · · · · ·	
		<u> </u>	
Mr. Gregory was charged and then trans	sported to Swain County	Jail Sat Martin trans	ported Mr.
Gregory.		<u> </u>	
	· - · · · · · · · · · · · · · · · · · ·		
			· · · · · · · · · · · · · · · · · · ·
SUPPLEMENT #2 Sergeant William N. Fe	erguson - 712 07-19-20	009 14:17	
I responded to the callof a man with a			···
Bradley Branch. Upon arrival in the an	cea Ptl. Shiver advised	that he and Sgt. Teesate	skie were in
foot pursuit of a male in a white t-sh	hirt. The male later reπ	oved the t-shirt and con	tinued to flee
through the woods. Myself, Ptl. Lane a	and Ptl. Toineeta set up	a perimeter on the edge	of the woods
and eventually Sgt. Teesateskie ran Gr	egory back toward us an	d he surrendered to us b	ut then
refused to yeild up his hands for cuff	ing. He was finally sub	dued after a brief, weak	struggle.
		· · · · · · · · · · · · · · · · · · ·	
While walking him to the patrol cars h	e yelled and continued	his disorderly conduct.	
			·····
Gregory is a regular offender and is a	lways violent in his re	sistance to arrest. On Mo	ondav 07-20-08
will compile his criminal history of			
consideration for banishment from trib			
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Officer Name / ID	Officer Signature	Date / Time Submitted	
Patrol Officer Wahnetah M. Toineeta - 706	-		Page <u>3</u>
DCI-602 F			of4 REV. 3/92

CONTINUATION PAGE

1. AGENCY	2. ORI	3. CONTINUATION TO:	4. OCA FILE NO.
Cherokee Indian Police Department	NC0870200		0907141722WT
Officer Name / ID	Officer Signature	Date / Time Submitted	 Page _4
Patrol Officer Wahnetah M. Toineeta - 706		· · · · · · · · · · · · · · · · · · ·	of

Crime / incident(s)

	Crime / Incident(s)	Attempt
#4	14-70.19 - Resisting Lawful Arrest	Complete

Chapter 2 EXCLUSION POWERS OF TRIBE*

*Cross references: Civil procedure, ch. 1; exclusion or rejection of individuals for Tribal gaming, § 16-9.01 et seq.; enrollment, ch. 49; Tribal government, ch. 117.

Sec. 2-1. Power to exclude,

Sec. 2-2. Tribal Council proceedings.

Sec. 2-3. Notice and legal defense rights.

- Sec. 2-4. Terms of exclusion.
- Sec. 2-5. Votes required for exclusion.
- Sec. 2-6. Enrolled members; permanent exclusion.
- Sec. 2-7. Request for exclusion action.
- Sec. 2-8. List of convictions for which exclusion is a punishment.
- Sec. 2-9. Emergency temporary exclusion.

Sec. 2-1. Power to exclude.

- (a) The Tribal Council shall have the power to exclude enrolled Tribal members for sexual offenses against minors and for convictions for trafficking in controlled substance under Chapter 14 of the Cherokee Code. Tribal Council shall also have the authority to exclude enrolled Tribal members for violations of state and federal law where such offenses would constitute trafficking in controlled substance under the Cherokee Code if committed within the territory of the Eastern Band of Cherokee Indians.
- (b) The Tribal Council shall have the power to exclude other persons from Cherokee trust lands when necessary to protect the integrity and law and order on Tribal lands and territory or the welfare of its members.
- (c) The Tribal Council shall have the power to exclude from or prohibit operation of a business on Cherokee trust lands or specific locations thereon, if the business threatens the health, safety or welfare of Tribal members or Tribal natural resources due to spills, accidents, illegal dumping, or other unauthorized releases of hazardous materials into the environment.

Notwithstanding any other provision of law, the Tribe reserves its sovereign immunity and shall not be liable for claims of loss, damage or injury resulting from exclusions.

(Ord. No. 92, 5-5-1994; Ord. No. 271, 7-24-1996; Ord. No. 630, 2-1-2007; Ord. No. 589, Art. III, 2-8-2007)

Sec. 2-2. Tribal Council proceedings.

The Tribal Council shall exercise its power to exclude persons from Cherokee trust lands only in open session of the Council. Nothing in this section shall prohibit the issuance of Writs of Emergency Temporary Exclusion under 2-9 or the exclusion of persons under 2-3(f).

(Ord. No. 92, 5-5-1994; Ord. No. 589, Art. III, 2-8-2007)

Sec. 2-3. Notice and legal defense rights.

- (a) The Tribal Council shall provide reasonable notice to all persons over whom it exercises the power of exclusion, together with hearing before the Tribal Council.
- (b) The Tribal Council shall provide not less than ten calendar days written notice to such persons prior to hearing. For good cause shown, the Council can waive the ten-day period and exclude immediately.
- (c) Such persons shall be provided with a written statement of the grounds for the proposed exclusion at the same time notice of the hearing is served upon them.
- (d) Such persons shall have the right to appear in person before the Tribal Council, to be represented by legal counsel before the Tribal Council, to require all testimony to be under oath at such hearing, to subpoena witnesses in their behalf for such hearing, to confront or question witnesses bringing exclusion actions against them to the Tribal Council or testifying against them in such hearing.
- (e) Notice of exclusion hearings shall specify the duration of exclusion proposed for each individual.
- (f) Any person convicted of trafficking in controlled substance under Chapter 14 of the Cherokee Code shall not be allowed to enter the territory of the Eastern Band of Cherokee Indians until a hearing on exclusion is held by the Tribal Council. Such hearing shall, if possible, be held prior to their release from custody.

(Ord. No. 92, 5-5-1994; Ord. No. 271, 7-24-1996; Ord. No. 589, Art. III, 2-8-2007)

Sec. 2-4. Terms of exclusion.

The Tribal Council may exclude persons from Cherokee trust lands for limited periods of time, indefinite periods of time or permanently.

(Ord. No. 92, 5-5-1994)

Sec. 2-5. Votes required for exclusion.

- (a) Exclusion of any person from Cherokee trust lands for a limited period of time not exceeding 90 days shall require a majority vote of the entire Tribal Council.
- (b) Exclusion of any person from Cherokee trust lands for more than 90 days or for an indefinite period of time shall require a two-thirds vote of the entire Tribal Council.
- (c) Permanent exclusion of any person from Cherokee trust lands shall require a three-fourths vote of the entire Tribal Council.
- (d) In this section, "a vote of the entire Tribal Council" means that the vote shall be calculated in the proportion of the number of Tribal Council members present at the exclusion hearing; provided, however, that not all Tribal Council members have to be present or vote at the hearing to satisfy this section, so long as not fewer than seven Council members are present and voting.

(Ord. No. 92, 5-5-1994; Ord. No. 530, 1-6-2005)

Sec. 2-6. Enrolled members; permanent exclusion.

If an enrolled Tribal member is permanently excluded from Cherokee trust lands, then the member's name shall be removed from the membership roll of the Tribe, and all privileges pertaining thereto shall immediately be suspended indefinitely. The removal of the person's name from the roll shall be submitted to the Superintendent of the Eastern Cherokee Agency for approval by the Secretary of the Interior or his authorized representative.

(Ord. No. 271, 7-24-1996)

Sec. 2-7. Request for exclusion action.

The persons with standing to bring a request to the Tribal Council for an exclusion action against a person who is subject to this Chapter are:

- (1) The Principal Chief.
- (2) The Vice Chief.
- (3) Members of the Tribal Council.
- (4) The Chief of the Cherokee Police Department.
- (5) The Tribal Prosecutor.

(Ord. No. 271, 7-24-1996; Ord. No. 757, 5-16-2001; Ord. No. 589, Art. III, 2-8-2007)

Sec. 2-8. List of convictions for which exclusion is a punishment.

The Clerk of Cherokee Court shall semiannually provide Tribal Council with a list of all persons convicted of crimes during the preceding six months in which banishment is provided by statute. The list shall be transmitted no later than January 31, 2007 and every six months thereafter. The initial list shall include all persons convicted since April 1, 2000.

(Ord. No. 589, Art. III, 2-8-2007)

Sec. 2-9. Emergency temporary exclusion.

(a) *Definitions.* For the purpose of this section the following definitions shall apply:

- (1) Officer: A sworn law enforcement officer of the Cherokee Police Department or any other law enforcement officer with the responsibility of enforcing Cherokee Law under authority of this code or a mutual aid agreement.
- (2) Cherokee Officer: A sworn law enforcement officer of the Cherokee Police Department only.
- (3) Drug Offense: Any act which would violate the provisions of Article XVI of Chapter 14 of the Cherokee Code committed within the territorial jurisdiction of the Eastern Band of Cherokee Indians, whether or not the Cherokee Court has jurisdiction over the individual committing the offense. Considering all appropriate aggravating factors which may be present, the term "Drug Offense" shall not include any act which would be punished as a class D offense under Cherokee law.
- (4) *Non-member:* Any person not officially enrolled as a tribal member in the Eastern

Band of Cherokee Indians

- (5) Designated Official: An individual designated by Cherokee Law to enforce the provisions of this section by issuing Writs of Emergency Temporary Exclusion. Any magistrate of the Cherokee Court shall be a designated official for the purposes of this Chapter.
- (6) Writ of Emergency Temporary Exclusion (Writ): A legally binding order issued by the designated official exercising the power of exclusion of Tribal Council excluding a non-member from the Cherokee Trust lands. The Writ shall clearly state on its face the date, time and location of the next scheduled Tribal Council session. Unless renewed by a vote of the Tribal Council in open council, the Writ shall expire at the end of the next regularly scheduled Tribal Council meeting following its issuance.
- (b) When a Law Enforcement Officer has probable cause to believe that a non-member has committed a Drug Offense, the officer shall bring the non-member before the designated official without unnecessary delay to determine whether a Writ of Emergency Temporary Exclusion is necessary to protect the integrity and law and order on Tribal lands and territory or the welfare of its members. The commission of any Drug Offense by a non-member shall constitute a per se threat to the integrity and law and order on Tribal lands and territory or the welfare of its members.
- (c) The officer shall complete a sworn, written application for Writ of Emergency Temporary Exclusion. The application shall contain a written statement of the essential facts constituting the Drug Offense. If the application establishes probable cause to believe that a Drug Offense has been committed by a non-member, the designated official must issue Writ of Emergency Temporary Exclusion. Without exception, a copy of the application and Writ and any appropriate information considered by the Designated Official shall be transmitted to the English Clerk of Tribal Council no later than the beginning of the next scheduled Tribal council or 72 hours after the application was considered, whichever is sooner.
- (d) Any Cherokee Officer shall be authorized to execute a Writ of Emergency Temporary Exclusion upon a named non-member. The Cherokee Officer shall execute the Writ by serving a copy of the Writ and application upon the non-member and transporting the non-member to any location outside the territorial jurisdiction of the Eastern Band of Cherokee Indians.
- (e) The issuance and execution of a Writ of Emergency Temporary Exclusion shall be independent of any criminal charges filed against the non-member in Cherokee Court or any other jurisdiction.
- (f) Regardless of whether a writ is issued, the non-member shall be given notice of the next scheduled meeting of Tribal Council and the application and writ shall be placed upon the agenda. A decision by the Designated Official regarding probable cause shall not be binding on Tribal Council and hearing before Council shall require a de novo review of all appropriate facts and determinations. If no Writ is issued upon application, the Tribal Council may review the facts and hold a proceeding for non-emergency exclusion. At the designated meeting or any subsequent scheduled meeting, Tribal Council may renew the Writ until the next scheduled session, complete the process of formal exclusion under this chapter, or decline to take further action.

(g) The requirements of Cherokee Code Sections 2-2, 2-3, 2-4, 2-5, and 2-7 shall not apply to Writs of Temporary Emergency Exclusion issued under this section, but shall apply to all subsequent proceedings before Council.

(Ord. No. 589, Art. III, 2-8-2007)

The attached Resolution/Ordinance No. 21 dated ____October 12, 2009 was:

PASSED (X)

KILLED ()

and ratified in open Council on ____October 12, 2009 ___ by __ 100 ___ voting for the act and <u>0</u> members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT	TABLE
Teresa McCoy	X				
Perry Shell	X				
Gene Crowe	X				
Mike Parker	X				
David Wolfe	X				
Alan Ensley	X				
Jim Owle	X				
Diamond Brown	x				
Adam Wachacha	X				
Bill Taylor	X				····
Terri Henry	X				
Tommye Saunooke	X				
	100	0			

BAL COUNCIL CHAIRMAN

nsan CLERK

APPROVED (V

VETOED ()

DATE: 10-12-0

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

VETO UPHELD () VETO DENIED ()

PASSED ()

PRINCIPAL CHIEF

KILLED ()

and ratified by Council Chairperson, Clerk, and Principal Chief of the Eastern Band of Cherokee Indians.

In testimony, whereof, I have hereunto set my hand and affixed the seal of the said Band of Indians. Superintendent, Cherokee Indian Agency.

arlene Whiter acte

INTERPRETED ()