

DocumentID : 650

CABINET #: T.O.P.

DRAWER #: T.O.P.

FOLDER #: T.O.P.

MONTH: APRIL

YEAR: 2009

RESOLUTION #: 773

ORDINANCE #: 773

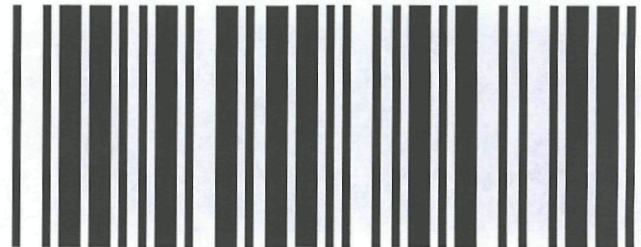
STATUS: PASSED

COMMENTS: EXCLUDING DERRICK JAMISON GRAHAM FROM TR

wgistech1

11/27/2009  
9:33:04 AM

Boomfuzzle



LIBRARY: RESOLUTIONS



# United States Department of the Interior

## BUREAU OF INDIAN AFFAIRS

Cherokee Agency  
Cherokee, North Carolina 28719

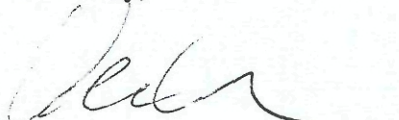
IN REPLY REFER TO,

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 773 dated April 21 2009  
Should you have any questions regarding this matter please contact me at (828) 497-9131 extension 227.

Sincerely,



Superintendent



# PASSED

Cherokee Council House  
Cherokee, Qualla Boundary (NC)

Date: APR 02 2009

## RESOLUTION NO. 773-A (2009)

WHEREAS, the Eastern Band of Cherokee Indians (Tribe) has the sovereign authority to exclude persons from lands of the Tribe in order to protect the integrity and law and order of those lands or 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 Tribe at Chapter 2 of the Cherokee Code; and

WHEREAS, DERRICK JAMISON GRAHAM is not a member of the Eastern Band of Cherokee Indians and is or has been entering or residing on Tribal lands; and

WHEREAS, DERRICK JAMISON GRAHAM was temporarily excluded on March 10, 2009 due to violation of Cherokee Criminal Code for the following drug related offenses:

a. Cherokee Code 14-95.5(a) Possession of Controlled Substance – Schedule I

b. Cherokee Code 14-95.11(c) Possession of Drug Paraphernalia; and

WHEREAS, Tribal Council has good reason to believe that DERRICK JAMISON GRAHAM is a threat to the law and order on Tribal lands and a threat to the welfare of enrolled members by engaging in drug related conduct.

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 the Writ previously issued upon DERRICK JAMISON GRAHAM be renewed until the next scheduled session of Tribal Council for a hearing to review all facts and determinations in this matter.

BE IT FURTHER RESOLVED that this renewed Writ prohibits DERRICK JAMISON GRAHAM from entering on or being present on Tribal lands for any purpose except as permitted by Tribal Council.

BE IT FURTHER RESOLVED that if DERRICK JAMISON GRAHAM 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 Office of the Attorney General on behalf of those authorized under Chapter 2 of the Cherokee Code*



# EASTERN BAND OF CHEROKEE INDIANS



Date and Time of Application  
3/10/09 5:20 pm

## Tribal Council

### EASTERN BAND OF CHEROKEE INDIANS VERSUS

Name of Individual

Derrick Jamien Graham

Non-Member

☒ Yes ☐ No

Race

W

Sex

M

DOB

7-26-85

## APPLICATION FOR WRIT OF TEMPORARY EMERGENCY EXCLUSION

Location of Incident

Days Inn

Date of Incident

3-10-09

Time of Incident

1630

CIPD Case Number

0310091630

I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the non-member individual named above did commit a Drug Offense, as defined in C.C. §2-9, and thereby constitutes a threat to the integrity and law and order on Tribal lands of the Eastern Band of Cherokee Indians and territory or welfare of its members, by:

☒ [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule 1, II, III, IV, and V, specifically Description of substance (Kind, Quantity)  
Heroin Needle

☐ [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half ounce of marijuana or more than one-twentieth of an ounce of hashish (Aggravated Possession of Marijuana).

☐ [C.C. 14-95.5(c)] Possessing a controlled substance, specifically less than one-half ounce of marijuana or less than one-twentieth of an ounce of hashish (Simple Possession of Marijuana). **MUST HAVE AGGRAVATING FACTORS**

☐ [C.C. 14-95.6(b)] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a controlled substance classified in schedule I, II, III, IV, and V, specifically Description of substance (Kind, Quantity)

☐ [C.C. 14-95.6(c)] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a controlled substance classified in schedule VI.

☐ [C.C. 14-95.6(d)] Manufacturing Methamphetamine.

☐ [C.C. 14-95.7] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a counterfeit controlled substance.

☐ [C.C. 14-95.8(a)] Possessing an immediate precursor chemical with intent to manufacture a controlled substance; or possess or distribute an immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical will be used to manufacture a controlled substance.

☐ [C.C. 14-95.8(b)] Possessing an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute an immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical will be used to manufacture methamphetamine.

☐ [C.C. 14-95.8(d)] Possessing a seed or ripened ovule of gymnosperm or angiosperm which can be used to produce any controlled substance

☐ [C.C. 14-95.9] ☐ Trafficking in Marijuana ☐ Trafficking in Methamphetamine ☐ Trafficking in Cocaine ☐ Trafficking in Methamphetamine/Amphetamine ☐ Trafficking in Opiate/ Heroin ☐ Trafficking in Lysergic Acid Diethylamide ☐ Trafficking in MDA/MDMA

☐ [C.C. 14-95.10] Transporting, carrying, or otherwise causing, assisting, or providing for the importation of controlled substance or immediate precursor chemical into the territory of the Eastern Band of Cherokee Indians

☒ [C.C. 14-95.11(c)] Using, possessing with intent to use drug paraphernalia **MUST HAVE AGGRAVATING FACTORS**

☐ [C.C. 14-95.11(d)] Delivering, possessing with intent to deliver, or manufacture with intent to deliver drug paraphernalia

☐ [C.C. 14-95.11(f)] Advertising drug paraphernalia **MUST HAVE AGGRAVATING FACTORS**

### AGGRAVATING FACTORS

☒ [C.C. 14-95.22] Prior convictions

☒ [C.C. 14-95.23(a)] Sale or delivery of controlled substance to person under 16 years of age or a pregnant female

☐ [C.C. 14-95.23(b)] Delivery of drug paraphernalia to a person under 16 years of age

☐ [C.C. 14-95.23(c)] Purchase or receive controlled substance from minor 16 years of age or younger

☐ [C.C. 14-95.23(d)] Offense committed while pregnant

☐ [C.C. 14-95.23(e)] Sale or delivery on property used for a school, day care center, playground, or community building or within 300 feet of the boundary of real property used for a school, day care center, playground, or community building

☐ [C.C. 14-95.23(f)] Possess on property used for a school, day care center, playground, or community building or within 300 feet of the boundary of real property used for a school, day care center, playground, or community building

☐ [C.C. 14-95.23(g)] Sale or Delivery in the primary residence of a child 13 years of age or younger

☐ [C.C. 14-95.23(h)] Possession in the primary residence of a child 13 years of age or younger

☐ [C.C. 14-95.23(i)] Sale or Delivery in the sensory perception of a child 13 years of age or younger

☐ [C.C. 14-95.23(j)] Possession in the sensory perception of a child 13 years of age or younger

☐ [C.C. 14-95.23(k)] Possession or Sale or Delivery in the sensory perception or dwelling of a child between 13 and 16.

☐ [C.C. 14-95.24] Possession of gun at time of offense

I certify that I am a Law Enforcement Officer with the responsibility of enforcing Cherokee Law, I have read the above statement, and I verify that the facts set forth in this application are true and correct to the best of my knowledge.

Date Name of Law Enforcement Officer Signature of Law Enforcement Officer

3-10-09

S.G. Bell Jr.

SABM

### Official's Certification

Sworn and Subscribed before me this day.

Signature of Designated Official

Date

TC-001, TEMP NEW 03/07

© 2007 The Cherokee Court









# EASTERN BAND OF CHEROKEE INDIANS

Tribal Council



Writ Application No (if applicable)

## EASTERN BAND OF CHEROKEE INDIANS VERSUS

Name of Individual

Derrick Jamison Graham

Non-Member

☒ Yes

Race

W

Sex

M

DOB

7-26-85

## WRIT OF EMERGENCY TEMPORARY EXCLUSION

### FINDINGS

Location of Incident

Days Inn

Date of Incident

3-10-09

Time of Incident

1630

CIPD Case Number

0310091630

I, the undersigned have reviewed the Application for Writ of Emergency Temporary Exclusion and have determined that probable cause exists that on or about the date of offense shown and in the location named above, the non-member individual named above did commit a Drug Offense, as defined in C.C. §2-9, and thereby constitutes a treat to the integrity and law and order on Tribal lands of the Eastern Band of Cherokee Indians and territory or welfare of its members.

Drug Statute	Offense
C.C. 14-95.5(c)	Possession of Heroin needle
C.C. 14-95.11(c)	Poss of Para.

### WRIT

#### TO THE PERSON NAMED ABOVE

Under the authority of the Laws of the Eastern Band of Cherokee Indians, you are ordered to leave the territorial jurisdiction of the Eastern Band of Cherokee Indians and not to return until permitted by the Tribal Council of the Eastern Band of Cherokee Indians. This application and Writ will be placed on the agenda of Tribal Council on the date and time showed below. You may appear at this hearing where Tribal Council will review all facts and determinations in this matter.

#### TO ANY CHEROKEE OFFICER

Under the authority of the Laws of the Eastern Band of Cherokee Indians, you are hereby ordered to execute this Writ of Emergency Temporary Exclusion by serving a copy of this Writ and Application upon the person named above and transporting this Non-Member to any point outside the territorial jurisdiction of the Eastern Band of Cherokee Indians. This is in addition to any criminal charged filed against the person named above. If this person is found within the territorial jurisdiction of the Eastern Band of Cherokee Indians after the execution of this Writ, they are to be taken into custody and are to be charged in Federal and/or Tribal Court.

Date To Appear	Time To Appear	Date Of Order
Apr 2, 2009	8:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	3/10/09
Place To Appear	Signature	
Council House Cherokee, Qualla Boundary (NC)		

### RETURN OF SERVICE

I certify that was received and served on the defendant as follows:

Date Received	Date of Return	Officer Making Return
3-11-09	3-11-09	







Refer: L900000M  
Msg: 1090311095628  
Date: HINQ  
Source: HINQ  
02L90 HINQ.QH.20090311095628.  
TO: -001492 20090311 09:56:28 18965FE24F  
FROM: 20090311 09:56:28  
TO:NC  
FROM:  
Compl: N  
HIT(S): Code: HIT020000  
INQUIRY (QH)

\*\*\*\*\*  
This: Computerized Criminal History Response Is Based On Input Of:  
ORI: N  
Name: DERRICK JAIMESON  
White: Date of Birth: 07-26-1985  
Purpo: C Operator Id: ALW  
Atter: DETECTIVE GERARD BALL Attention: NC STATE COURT  
\*\*\*\*\*

#### COMPUTERIZED CRIMINAL HISTORY

Name: DERRICK JAMES  
SID: 00A FBI Number: 65214XB9 White/Male  
Date: 07-26-1985 Birth Place: WV Description: West Virginia  
Height: 03 In. Weight: 146 Lbs. Eyes: HAZEL Hair Color: BLONDE  
Skin: MEDIUM Fingerprint Type: AFIS  
Finger: Pass: 01RS 02RS 03RS 04RS 05RS 06LS 07LS 08LS 09LS 10LS  
DOC: 804887  
DNA: at NC SBI Lab: Yes  
Scars: and Tattoos:  
TAT L ARM  
TAT L LEG  
TAT R ARM

Social Security Numbers: 232-29-0376  
233-29-0376  
Driver's Licenses: 27471651NC  
Alias: 1, DERRICK J

BASED ON RACE, SEX AND DOB ONLY.

THIS HISTORY IDENTIFICATION IS FOR A SINGLE STATE RECORD.

FOR RECORD(S), PERFORM A QR INQUIRY USING FBI OR SID.

THIS HISTORY RECORD INFORMATION ON THE ABOVE-NAMED INDIVIDUAL IS A  
CERTIFIED COPY SUBSTANTIATED BY FINGERPRINTS, AS IT APPEARS IN THE SBI/DCI  
FILES

STATE REGULATIONS REQUIRE A ONE-YEAR RECORD OF DISSEMINATION.

\*\*\*\*\* CAUTION \*\*\*\*\*  
THIS RECORD MAY OCCUR AT ANY TIME AND A NEW INQUIRY SHOULD  
BE MADE FOR SUBSEQUENT USE. THIS RECORD MUST NOT BE USED AFTER 06-09-2009.

\*\*\*\*\*END OF RECORD\*\*\*\*\*

\*\*\*\*\*

Ref: L900000M  
Msg  
Date: 090311095629  
Source: 2K

02L9: 2K.QW.20090311095629.  
TO: -001493 20090311 09:56:29 00063D94AB  
FROM: 20090311 09:56:28  
1L01: F2QW  
NC08:

NO NAME: NAM/GRAHAM, DERRICK JAIMESON DOB/19850726 RAC/W SEX/M  
\*\*\*MESSAGE: Y QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF  
EXTRA: AND MISDEMEANOR RECORDS INDICATING POSSIBLE EXTRADITION FROM THE  
INQUIRY: INQUIRY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED  
WITH: ATIONS.

\*\*\*\*\*



Ref: 1900000M  
Msg: 0  
Date: 090311095630  
Source: RINQ

02L90 RINQ.QSO.20090311095630.  
TO: -001494 20090311 09:56:30 007FFDFF76  
FROM: 20090311 09:56:29  
TO: N  
FROM: N  
Comp: N  
NO H: N

\*\*\*\*  
This  
Name: DERRICK JAIMESON  
Birth: -26-1985  
Race: W Sex: M  
\*\*\*\*

\*\*\*\*\*  
onse Is Based On Input Of:  
DERRICK JAIMESON  
-26-1985  
Race: W Sex: M  
\*\*\*\*\*

\*\* : MESSAGE \*\*

\*\*\*\*\*

Ref: L900000M  
Msg  
Date 290311095630  
Sour

02L9 1.OH.20090311095630.  
TO: -001495 20090311 09:56:30 005D95847A  
FROM: 20090311 09:56:30  
7L01 F2QH

NC08  
THIS ERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR  
INQU M/GRAHAM,DERRICK JAIMESON SEX/M RAC/W DOB/19850726 PUR/C  
NAME FBI NO. INQUIRY DATE  
GRAH K JAMES 65214XB9 2009/03/11

SEX :  
M H DATE HEIGHT WEIGHT EYES HAIR PHOTO  
07/26 505 150 GRN BRO N

BIRT  
WEST

FING: LASS PATTERN CLASS  
RS RS RS RS RS LS LS LS LS LS

SCAR:  
TATT: SOCIAL SECURITY  
TAT: 232-29-0376  
TAT: 233-29-0376  
TAT:

IDEN: M DATA UPDATED 2005/04/25

THE HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLL: NA - STATE ID/NC0988890A  
NOF:

THE CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION  
INDE: G THE APPROPRIATE NCIC TRANSACTION.

END

\*\*\*\*

\*\*\*\*\*



Ref: L900000V  
Msg  
Date 0090311100006  
Sour CHINQ

02L9: CHINQ.0R.20090311100006.  
TO: -001499 20090311 10:00:06 18965FE280  
FROM: 20090311 10:00:06  
TO:NC  
FROM:  
Compl  
SINGI

7N  
Code: HIT010000  
(QR)

\*\*\*\*\*  
This sized Criminal History Response Is Based On Input Of:  
ORI: N Purpose Code: C  
Atter DETECTIVE GERARD BALL Attention: NC STATE COURT Operator Id: ALW  
Name: DERRICK  
FBI 65214XB9  
\*\*\*\*\*

COMPUTERIZED CRIMINAL HISTORY

Name: DERRICK JAMES  
SID: 90A FBI Number: 65214XB9 White/Male  
Date: 07-26-1985 Birth Place: WV Description: West Virginia  
Height: 03 In. Weight: 146 Lbs. Eyes: HAZEL Hair Color: BLONDE  
Skin: MEDIUM Fingerprint Type: AFIS  
Finger: Class: 01RS 02RS 03RS 04RS 05RS 06LS 07LS 08LS 09LS 10LS  
DOC: 0804887  
DNA: e at NC SBI Lab: Yes  
Scars: , and Tattoos:

TAT L ARM  
TAT L LEG  
TAT R ARM

Social Security Numbers: 232-29-0376  
233-29-0376

Driver's Licenses: 27471651NC

Alias: M, DERRICK J

Cycle: rested: 08-30-2002 SID: NC0988890A FBI Number: 65214XB9  
Arrest: Agency ORI: NC0760000 RANDOLPH CO SO - ASHEBORO  
Arrest: GRAHAM, DERRICK JAMES  
Agency: Number: 02-06835 Check Digit Number: DC7565X  
Offense: ge: 01 BREAKING AND OR ENTERING (F) FELONY  
Date: nse: 08-30-2002  
General: nte: 14-54(A)  
Offense: ge: 02 LARCENY AFTER BREAK/ENTER FELONY  
Date: nse: 08-30-2002  
General: nte: 14-72(B)(2)  
Offense: ge: 03 POSS STOLEN GOODS/PROP (F) FELONY  
Date: nse: 08-30-2002  
General: nte: 14-71.1  
Offense: ge: 04 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 05 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 06 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 07 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 08 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 09 POSSESS HANDGUN BY MINOR MISDEMEANOR  
Date: nse: 08-30-2002  
General: nte: 14-269.7(A)  
Offense: ge: 10 POSSESS WEAPON MASS DESTRUCT FELONY  
Date: nse: 08-30-2002  
General: nte: 14-288.8



Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055567  
Cour : 001 POSSESS WEAPON MASS DESTRUCT - FELONY  
Date se: 08-20-2002  
Gene te: 14-288.8  
Disp Dismissal Without Leave (By DA)  
Atto : COURT APPOINTED - NOT PUBLIC DEFENDER  
Supe : Transfer: 11-21-2002

Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055567  
Cour : 002 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date se: 08-20-2002  
Gene te: 14-269.7(A)  
Plea:  
Verd:  
Disp :  
Cons Trial By Judge Consolidated Court County: 750  
Cons Court Docket Number: 2002CRS055572  
Atto Line Number: 51  
Supe : COURT APPOINTED - NOT PUBLIC DEFENDER  
: Transfer: 11-21-2002  
: Appeal: 11-20-2002

Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055567  
Cour : 003 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date se: 08-20-2002  
Gene te: 14-269.7(A)  
Plea:  
Verd:  
Disp :  
Cons Trial By Judge Consolidated Court County: 750  
Cons Court Docket Number: 2002CRS055572  
Atto Line Number: 51  
Supe : COURT APPOINTED - NOT PUBLIC DEFENDER  
: Transfer: 11-21-2002  
: Appeal: 11-20-2002

Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055568  
Cour : 004 BREAKING AND OR ENTERING (F) - FELONY  
Date se: 08-07-2002  
Gene te: 14-54(A)  
Plea:  
Verd:  
Disp :  
Conf Trial By Judge Consolidated: Yes  
Prob 6M-8M  
Cour tence: 36M Supervised Probation: Y  
Stru 5212  
Stru ntencing Offense Class: H  
Fire ntencing Type: COMMUNITY SENTENCE  
Supe lty: N Judgement Satisfied:  
Spec : Transfer: 11-21-2002  
: tions: NO ALCOHOL OR DRUGS. NOT POSS. FIREARM. GET GED.C/A FEE 780.0  
: 0. NOT ASSOC. W/ JASON OR JOSH POOLE.

Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055568  
Cour : 005 LARCENY AFTER BREAK/ENTER - FELONY  
Date se: 08-07-2002  
Gene te: 14-72(B)(2)  
Plea:  
Verd:  
Disp :  
Cons Trial By Judge Consolidated: Yes  
Conf tence: CASES  
Prob 6M-8M  
Stru tence: 36M Supervised Probation: Y  
Stru ntencing Offense Class: H  
Fire ntencing Type: COMMUNITY SENTENCE  
Supe lty: N  
Spec : Transfer: 11-21-2002  
: tions: COMPLY W/ PROB. CONDITIONS IN B & E CHARGE.

Cour 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp ate: 06-13-2003 Court Docket: 2002CRS055568  
Cour : 006 POSS STOLEN GOODS/PROP (F) - FELONY  
Date se: 08-07-2002  
Gene te: 14-71.1



Plea: FY  
Verd: FY  
Disp: Trial By Judge Consolidated: Yes  
Cons: Sentence: CASES  
Conf: 6M-8M  
Prob: Sentence: 36M Supervised Probation: Y  
Stru: Sentencing Offense Class: H  
Stru: Sentencing Type: COMMUNITY SENTENCE  
Fire: Alty: N  
Supe: Transfer: 11-21-2002  
Spec: Conditions: COMPLY W/ PROB. IN B & E CHARGE.

Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: Date: 03-28-2005 Court Docket: 2002CRS055568  
Cour: : 007 FELONY PROBATION VIOLATION - FELONY  
Date: se: 08-07-2002  
Gene: te: 15A-1345  
Disp: Process Revocation  
Supe: Transfer: 11-21-2002  
Spec: Conditions: ADMITS, REVOKE PROB ACTIVATE SENT, 6-8 MNTHS DOC

Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: Date: 06-13-2003 Court Docket: 2002CRS055569  
Cour: : 008 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date: se: 08-20-2002  
Gene: te: 14-269.7(A)  
Plea: FY  
Verd: FY  
Disp: Trial By Judge Consolidated Court County: 750  
Cons: Court Docket Number: 2002CRS055572  
Cons: Line Number: 51  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER  
Supe: Transfer: 11-21-2002  
Supe: Appeal: 11-20-2002

Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: Date: 06-13-2003 Court Docket: 2002CRS055569  
Cour: : 009 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date: se: 08-20-2002  
Gene: te: 14-269.7(A)  
Plea: FY  
Verd: FY  
Disp: Trial By Judge Consolidated Court County: 750  
Cons: Court Docket Number: 2002CRS055572  
Cons: Line Number: 51  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER  
Supe: Transfer: 11-21-2002  
Supe: Appeal: 11-20-2002

Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: Date: 06-13-2003 Court Docket: 2002CRS055569  
Cour: : 010 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date: se: 08-20-2002  
Gene: te: 14-269.7(A)  
Plea: FY  
Verd: FY  
Disp: Trial By Judge Consolidated Court County: 750  
Cons: Court Docket Number: 2002CRS055572  
Cons: Line Number: 51  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER  
Supe: Transfer: 11-21-2002  
Supe: Appeal: 11-20-2002

Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: Date: 06-13-2003 Court Docket: 2002CRS055572  
Cour: : 011 POSSESS HANDGUN BY MINOR - MISDEMEANOR  
Date: se: 08-20-2002  
Gene: te: 14-269.7(A)  
Plea: FY  
Verd: FY  
Disp: Trial By Judge Consolidated: Yes  
Conf: 30D  
Prob: Sentence: 36M Supervised Probation: Y  
Cour: 5212  
Stru: Sentencing Offense Class: 2  
Stru: Sentencing Type: COMMUNITY SENTENCE



Fire                   ty: N   Judgement Satisfied:  
Supe                   - Transfer: 11-21-2002  
Supe                   - Appeal: 11-20-2002

Spec                   tions: COMPLY W/ CONDITIONS OF PROB. IN 02CRS55568.

Cour                   076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp                   ate: 03-28-2005   Court Docket: 2002CRS055572  
Cour                   : 012 MISDEMEANOR PROBATION VIOL   - MISDEMEANOR  
Date                   se: 08-20-2002  
Gene                   te: 15A-1345  
Disp                   Process Revocation  
Supe                   - Transfer: 11-21-2002  
Supe                   - Appeal: 11-20-2002

Spec                   tions: ADMITS, REVOKE PROB & ACT SENT OF 30 DAYS DOC

Cycl                   ested: 10-11-2002   SID: NC0988890A   FBI Number: 65214XB9  
Arre                   ncy ORI: NC0760000   RANDOLPH CO SO - ASHEBORO  
Arre                   GRAHAM, DERRICK JAMES  
Agen                   Number: 02-07984   Check Digit Number: DC7726K  
Offe                   se: 01 BREAKING AND OR ENTERING (F)   FELONY  
Date                   se: 10-11-2002  
Gene                   te: 14-54(A)  
Offe                   se: 02 LARCENY AFTER BREAK/ENTER   FELONY  
Date                   se: 10-11-2002  
Gene                   te: 14-72(B)(2)  
Offe                   se: 03 POSS STOLEN GOODS/PROP (F)   FELONY  
Date                   se: 10-11-2002  
Gene                   te: 14-71.1

Cour                   076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp                   ate: 08-01-2003   Court Docket: 2002CRS056458  
Cour                   : 001 BREAKING AND OR ENTERING (F)   - FELONY  
Date                   se: 08-10-2002  
Gene                   te: 14-54(A)

Plea:                   TY  
Verd:                   Trial By Judge   Consolidated: Yes  
Disp                   entence: CASES  
Cons                   3M-10M  
Conf                   ence: 36M   Supervised Probation: Y  
Prob                   \$213  
Cour                   \$1219.00  
Rest                   ntencing Offense Class: H  
Stru                   ntencing Prior Points: 03  
Stru                   ntencing Type: INTERMEDIATE SENTENCE  
Fire                   ity: N   Impact Program: N  
Day                   Program: 006   M  
Days                   ate Community Service: 180   Judgement Satisfied:  
Supe                   - Transfer: 04-16-2003  
Spec                   tions: PAY \$325 C/A FEE. RESTIT=WILLIAM HARDIN. NOT POSS, CONS CS.  
                         SUB SEARCHES & DRUG TEST. OBT GED. NOT BE ARND JASON & JOSH  
                         POOLE.

Cour                   076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp                   ate: 08-01-2003   Court Docket: 2002CRS056458  
Cour                   : 002 LARCENY AFTER BREAK/ENTER   - FELONY  
Date                   se: 08-10-2002  
Gene                   te: 14-72(B)(2)  
Plea:                   TY  
Verd:                   Trial By Judge   Consolidated Court County: 750  
Disp                   Court Docket Number: 2002CRS056458  
Cons                   Line Number: 51  
Supe                   - Transfer: 04-16-2003

Cour                   076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp                   ate: 08-01-2003   Court Docket: 2002CRS056458  
Cour                   : 003 POSS STOLEN GOODS/PROP (F)   - FELONY  
Date                   se: 08-10-2002  
Gene                   te: 14-71.1  
Disp                   Dismissal Without Leave (By DA)  
Supe                   - Transfer: 04-16-2003

Cour                   076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp                   ate: 03-28-2005   Court Docket: 2002CRS056458  
Cour                   : 004 FELONY PROBATION VIOLATION   - FELONY  
Date                   se: 08-10-2002

Gene: 15A-1345  
Disp: Process Revocation  
Supe: Transfer: 04-16-2003  
Spec: tions: ADMITS, REVOKE PROB ACT SENT 8-10 MNTHS DOC AT EXP OF  
02CRS 55568

Cycl: ested: 08-03-2004 SID: NC0988890A FBI Number: 65214XB9  
Arre: ncy ORI: NC0760000 RANDOLPH CO SO - ASHEBORO  
Arre: GRAHAM, DERRICK JAMES  
Agen: mber: 04-06017 Check Digit Number: DD0490T  
Offe: e: 01 MISDEMEANOR LARCENY MISDEMEANOR  
Date: se: 08-03-2004  
Gene: te: 14-72(A)  
Offe: e: 02 OBTAIN PROPERTY FALSE PRETENSE FELONY  
Date: se: 08-03-2004  
Gene: te: 14-100  
Offe: e: 03 CONTRIBUTING DEL OF JUVENILE MISDEMEANOR  
Date: se: 08-03-2004  
Gene: te: 14-316.1

Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 02-14-2006 Court Docket: 2004CR 054009  
Cour: : 001 MISDEMEANOR LARCENY - MISDEMEANOR  
Date: se: 05-28-2004  
Gene: te: 14-72(A)  
Plea:  
Verd: TY  
Disp: Trial By Judge Consolidated: Yes  
Conf: 45D Time Served: 9 D  
Stru: ntencing Offense Class: 1  
Stru: ntencing Prior Points: 01  
Stru: ntencing Type: ACTIVE SENTENCE  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER  
Spec: tions: DOC

Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 02-14-2006 Court Docket: 2004CR 054829  
Cour: : 002 CONTRIBUTING DEL OF JUVENILE - MISDEMEANOR  
Date: se: 07-18-2004  
Gene: te: 14-316.1  
Plea:  
Verd: TY  
Disp: Trial By Judge Consolidated: Yes  
Conf: 45D  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER  
Spec: tions: DOC TO RUN @ EXP OF 04CR 54009

Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 02-14-2006 Court Docket: 2004CR 054010  
Cour: : 003 MISDEMEANOR LARCENY - MISDEMEANOR  
Date: se: 05-31-2004  
Gene: te: 14-72(A)  
Plea: TO A LESSER DEGREE  
Verd: TY  
Disp: Trial By Judge Consolidated Court County: 750  
Cons: Court Docket Number: 2004CR 054009  
Cons: Line Number: 01  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER

Cycl: ested: 02-28-2005 SID: NC0988890A FBI Number: 65214XB9  
Arre: ncy ORI: NC0760100 ASHEBORO PD - RECORDS DIVISION  
Arre: GRAHAM, DERRICK JAMES  
Agen: mber: 05-01637 Check Digit Number: DD1472Q  
Palm: Photo Available: Y  
Finge: mber: 1000812005059001  
Book: r: 130000501637  
Offe: e: 01 MISDEMEANOR LARCENY MISDEMEANOR  
Viol: 01  
Date: se: 02-28-2005  
Gene: te: 14-72(A)  
Offe: e: 02 OBTAIN PROPERTY FALSE PRETENSE FELONY  
Viol: 01  
Date: se: 02-28-2005  
Gene: te: 14-100  
Offe: e: 03 POSSESSION OF STOLEN GOODS MISDEMEANOR  
Viol: 01  
Date: se: 02-28-2005  
Gene: te: 14-71.1



Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 05-18-2005 Court Docket: 2005CR 051492  
Cour: : 001 OBTAIN PROPERTY FALSE PRETENSE - FELONY  
Date: se: 02-28-2005  
Gene: te: 14-100  
Disp: Dismissal Without Leave (By DA)  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER

Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 05-18-2005 Court Docket: 2005CR 051492  
Cour: : 002 MISDEMEANOR LARCENY - MISDEMEANOR  
Date: se: 02-28-2005  
Gene: te: 14-72(A)  
Disp: Dismissal Without Leave (By DA)  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER

Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 05-18-2005 Court Docket: 2005CR 051492  
Cour: : 003 POSS STOLEN GOODS/PROP (M) - MISDEMEANOR  
Date: se: 02-28-2005  
Gene: te: 14-71.1  
Disp: Dismissal Without Leave (By DA)  
Atto: : COURT APPOINTED - NOT PUBLIC DEFENDER

Pris: 04-08-2005 SID: NC0988890A FBI Number: 65214XB9  
Pris: C092175C NC CORR IDENT BRANCH-RALEIGH  
Pris: : GRAHAM, DERRICK J  
Stat: DT INCARCERATED FOR THE FOLLOWING CONVICTIONS:

Pris: 01  
Offe: KING/ENTERING INTENT TO COMMIT FELONY - FELONY  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS055568 Confinement: 8M  
Spec: tions: INITIAL  
Pris: 02  
Offe: KING/ENTERING INTENT TO COMMIT FELONY - FELONY  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS056458 Confinement: 10M  
Spec: tions: CONSECUTIV  
Pris: 03  
Offe: ESSION FIREARM BY MINOR - MISDEMEANOR  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS055572 Confinement: 1M  
Spec: tions: CONCURRENT  
Pris: 04  
Offe: ENY VALUE GREATER \$1000 - FELONY  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS056458  
MULT: GES 1 DISPOSITION M  
Spec: tions: CONSECUTIV  
Pris: 05  
Offe: ESSION FIREARM BY MINOR - MISDEMEANOR  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS055567  
MULT: GES 1 DISPOSITION M  
Spec: tions: CONCURRENT  
Pris: 06  
Offe: ESSION FIREARM BY MINOR - MISDEMEANOR  
Cour: 076035J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 06-13-2003 Court Docket: 2002CRS555697  
MULT: GES 1 DISPOSITION M  
Spec: tions: CONCURRENT

Pris: 02-14-2006 SID: NC0988890A FBI Number: 65214XB9  
Pris: C092175C NC CORR IDENT BRANCH-RALEIGH  
Pris: : GRAHAM, DERRICK J  
Stat: DT INCARCERATED FOR THE FOLLOWING CONVICTIONS:

Pris: 01  
Offe: ENY-2CTS - MISDEMEANOR  
Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 02-14-2006 Court Docket: 2004CR 054009 Confinement: 45D  
Spec: tions: CC W/2, CCN-04CR54010  
Gene: te: 14-72A  
Pris: 02  
Offe: TRIBUTING DELINQUENCY OF JUVENILE - MISDEMEANOR  
Cour: 076025J RANDOLPH CO DIST COURT-ASHEBORO  
Disp: ate: 02-14-2006 Court Docket: 2004CR 054829 Confinement: 45D  
Spec: tions: EXP TO 4

Gene: 14-316.1

Pris: Date: 06-07-2006 SID: NC0988890A FBI Number: 65214XB9  
Pris: C092175C NC CORR IDENT BRANCH-RALEIGH  
Stat: ARGED

BASE: FBI NUMBER.

THIS HISTORY IS FOR A SINGLE STATE RECORD.

THIS HISTORY RECORD INFORMATION ON THE ABOVE-NAMED INDIVIDUAL IS A  
CERT SUBSTANTIATED BY FINGERPRINTS, AS IT APPEARS IN THE SBI/DCI  
FILE.

STAT: REGULATIONS REQUIRE A ONE-YEAR RECORD OF DISSEMINATION.

\*\*\* CAUTION \*\*\*  
IS RECORD MAY OCCUR AT ANY TIME AND A NEW INQUIRY SHOULD  
BE M: BSEQUENT USE. THIS RECORD MUST NOT BE USED AFTER 06-09-2009.

\*\*\*\* \*\*\*\*\*END OF RECORD\*\*\*\*\*

\*\*\*\* \*\*\*\*\*



The attached Resolution/Ordinance No. 773 dated April 2, 2009 was:

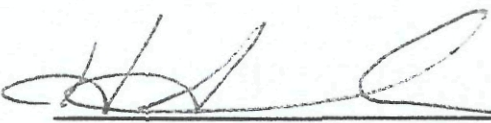
**PASSED** ( ☒ )

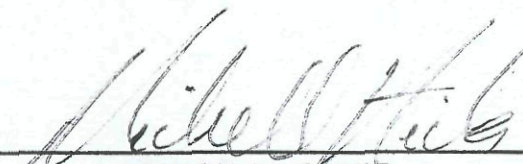
**KILLED** ( ☐ )

a ratified in open Council on April 2, 2009 by 88 voting for the act  
and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT	TABLE
Stephen Watty	X				
Perry Shell	X				
Butch Goings	X				
Alan Ensley	X				
David Wolfe	X				
Jim Owle	X				
Mike Parker	X				
Angie Kephart	X				
Abe Wachacha	X				
Susan Toineeta				X	
Marie Junaluska	X				
Tommye Saunooke	X				
<b>TOTAL</b>	88	0	0	12	0

  
\_\_\_\_\_  
**TRIBAL COUNCIL CHAIRMAN**

  
\_\_\_\_\_  
**CLERK**

  
\_\_\_\_\_  
**PRINCIPAL CHIEF**

**APPROVED** ( )

**VETOED** ( )

**VETO UPHELD** ( ) **VETO DENIED** ( )

**DATE:** 4-28-09

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

**PASSED** ( )

**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.

\_\_\_\_\_  
**INTERPRETED** ( )

  
\_\_\_\_\_  
**OMITTED** ( )