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. Feb. 7, 2008 Should you have any 192 questions regarding this matter please contact me at (828) 497-9131 extension 227.

Sincerely,

Superintendent

PASSED

Cherokee Council House Cherokee, Qualla Boundary (NC)

Date: FEB 0 7 2008

RESOLUTION NO. 192 (2008)

WHEREAS, the Eastern Band of Cherokee Indians has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of those lands and the welfare of the members of the Tribe; and

WHEREAS, the Tribal Council has codified its authority to exclude persons from the lands of the Eastern Band at Chapter 2 of the Cherokee Code; and

WHEREAS, STEPHANIE NICOLE OGLE 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 STEPHANIE NICOLE OGLE 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, Tribal Council believes that the threat to this Tribe will diminish if STEPHANIE NICOLE OGLE is not allowed to remain on lands owned by or held in trust for the Eastern Band of Cherokee Indians; and

WHEREAS, on June 6, 2007, STEPHANIE NICOLE OGLE reached an agreement with the Tribe through her attorney Mr. Russell McLean that the Temporary Exclusion order would continue until such time that Tribal Council re-scheduled a hearing for permanent exclusion and provided notice of her hearing for Permanent Exclusion, and

WHEREAS, STEPHANIE NICOLE OGLE has been provided sufficient notice for this hearing.

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 STEPHANIE NICOLE OGLE 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 48 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 STEPHANIE NICOLE OGLE is found on Tribal lands at any time after the effective date of this resolution she shall be in violation of Tribal law and of a lawful order of Tribal Council and a law enforcement officer shall arrest her and take other appropriate legal action against her.

BE IT FURTHER RESOLVED that this exclusion prohibits STEPHANIE NICOLE OGLE 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 this resolution shall be effective upon ratification 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 5:10 pm.

© 2007 The Cherokee Court



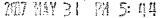
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EASTERN BAND OF CHEROKEE INDIANS

THE CHEROKEE COURT



WARRANT



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Defendant		Ę	Social Security No./ Roll Number.	Date of Birth:
S	TEPHANIE	NICOLE	Sex:	Prior Service (if any):
HOLLOW NC	28719	✓ In Custody	Date Filed: 5/31/2007	Date of the Offense: 5/31/2007
I REED JR.		ВО	ND INFORMATION	
Complainant Phone No.:	— Amount of Bond:	\$5,000.00	1	Unsecured .
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	I	-	/)	sess or Consume
	HOLLOW NC I REED JR.	STEPHANIE HOLLOW NC 28719 REED JR. Complainant Phone No.: No Cont Not to be expiration	STEPHANIE NICOLE HOLLOW NC 28719 In Custody REED JR. Complainant Phone No.: S5,000.00 No Contact with Not to be released until the	STEPHANIE NICOLE Sex: HOLLOW NC 28719 In Custody Date Filed: 5/31/2007 BOND INFORMATION Amount of Bond: \$5,000.00 No Contact with Not to be released until the expiration of 72 hours (DV) No./ Roll Number: Sex: Date Filed: Not to Post Weapon Not to Post

To any officer with authority and jurisdiction to execute a warrant for arrest for the offenses(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of the offense shown and within the jurisdiction of the Eastern Band of Cherokee Indians the defendant named above unlawfully and willfully did commit the following offenses:

Case Number	Cherokee Code	Charges
CR 07-0760	14-95.5(c)	Drugs: Simple Possession of Marijuana [effective 4/1/07]
CR 07-0761	14-95.5(a)	Drugs: Possessing a controlled substance classified in schedule I, II, III, IV, and V [effective 4/1/07]
CR 07-0762	14-95.5 <u>(</u> a)	Drugs: Possessing a controlled substance classified in schedule I, II, III, IV, and V [effective 4/1/07]

This act(s) was in violation of the law(s) and/or ordinances referred to in this warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the Defendant and bring the Defendant before a judicial official without unnecessary delay to answer the charge(s) above.

	ene / heas.	a		RETURN OF SE	RVICE			
	/ / /		I certify that th	I certify that this Warrant was received and served as follows:				
Name of Judicial Official: Pheasant	Magistrate Judge	Date Issued: 5/31/2007	Date Sent to PD:	Date Served:	Date Recieved from PD:			
C C	OURT INFORMA	TION	☐By arresting the	Defendant and bringi	ng the Defendant before:			
Location of Court:		And the second s	Name of Judicial Offici	al:				
Cherokee Cour Cherokee, Qua	thouse lla Boundary(NC)	☐The Warrant WAS NOT Served for the following reason:					
Service Number	07-0472	w	Signature of Officer ma	aking return:				

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Page 1 of Z

CR: 07-0763	14-95.5(a)	Drugs: Possessing a controlled substance classified in schedule I, II, III, IV, and V [effective 4/1/07]
CR 07-0764	14-95.5(a)	Drugs: Possessing a controlled substance classified in schedule I, II, III, IV, and V [effective 4/1/07]
CR 07-0765	14-95.5(a)	Drugs: Possessing a controlled substance classified in schedule I, II, III, IV, and V [effective 4/1/07]

2007 HAY 31 PH 5: 44

This act(s) was in violation of the law(s) and/or ordinances referred to in this warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the Defendant and bring the Defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Simulation	Pene (neast		RETURN OF SERVICE				
			I certify that th	is Warrant was receiv	ed and served as follows:		
Name of Judicial Official: Pheasant	Magistrate Judge	Date Issued: 5/31/2007	Date Sent to PD:	Date Served:	Date Recieved from PD:		
C	OURT INFORM	ATION	☐By arresting the	Defendant and bringi	ng the Defendant before:		
Location of Court: Cherokee Cour	thouse		Name of Judicial Official	ál:			
Cherokee, Qual		>)	☐The Warrant WAS NOT Served for the following reason:				
Service Number	07-0472	w	Signature of Officer ma	nking return:			

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EASTERN BAND OF CHEROKEE INDIANS



File No. CR 07-0760

EASTERN BAND OF CHEROKEE INDIANS VERSUS \$\frac{1}{2}\$ \text{Subparials Nicolo Ogle} \text{CRIMINAL COMPLAINT CONTROLLED SUBSTANCES} Time of Incident Policy of Prime Strict (Note) of Indiant Policy of Indi	The Che	rokee C	ourt					- FEE			,	
Stephanie Nicole Ogle Race Six Female 100 Date of Indident Share of Six Female 1202/1974 Controlled Substances Six Prime Sirioh (PVA) Share of Indident Share of Indian Share of Indian Share of Indian Share classified in schedule Share on one of Indian (Aggravated Possession of Marijuana). Share on one of Indian (Aggravated Possession of Marijuana). Share on one of Indian (Aggravated Possession of Marijuana). Share on one of Indian (Aggravated Possession of Marijuana). Share of Indian Share of Indian Share of Indian Share of Indian Indiana	EAS	TERN BAI	ND OF CHEROKE	EE INDIANS	VERS	us 2007	17 3 l ·	f >:	413			
Female 1202/1974 Diste of Incident Distance D	Name of Defe	ndant		- · · · · · · · · · · · · · · · · · · ·	•				i i			
Prime Sirbolin (PVA) 05/31/2007 15:15 0706311515	Female 12/02								agest .	·		
defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: C.C. 14-95.5(a) Possessing a controlled substance, specifically nore than one-half once of manijuana or more than one-twentieth of an once of hash (Agnayavated Possession of Manijuana).	Prime Sirloin (PVA)					05/31/20	07		15:15	(70531	11515
[C.C. 14-95.5(b)] Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) I, II, II, IV, and V, specifically Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Single Possession of Marijuana). [C.C. 14-95.6(b)] Manufacturing Selling or delivering Possessing Description of substance (Kind, Quantity) Possessing C.C. 14-95.6(c) Manufacturing Selling or delivering Possessing Description of substance (Kind, Quantity) Possessing C.C. 14-95.6(c) Manufacturing Selling or delivering Possessing with intent to sell or deliver a controlled substance C.C. 14-95.6(d) Manufacturing Selling or delivering Possessing with intent to sell or deliver a controlled substance C.C. 14-95.6(d) Manufacturing Selling or delivering Possessing with intent to sell or deliver a controlled substance C.C. 14-95.6(d) Manufacturing Selling or delivering Possessing with intent to sell or deliver a controlled substance C.C. 14-95.6(d) Manufacturing Selling or delivering Possessing with intent to manufacture a controlled substance of distribute an immediate precursor chemical with intent to manufacture a controlled substance or distribute an immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical with the used to manufacture a controlled substance or immediate precursor chemical with the used to manufacture with to manufacture with to manufacture with the manufacture precursor chemical with the used to manufacture with the manufacture with the immediate precursor chemical with the used to manufacture with manufacture with manufacture Trafficking in Mothamphetamine Trafficking in Opiate/ Heroin Trafficking in Vergic Acid Diethylamide Trafficking in Mothamphetamine Trafficking in Opiate/ Heroin Trafficking in Vergic Acid Diethylamide Trafficking in Mothamphetamine C.C. 14-95.1(d)	defendant na	amed abov	ve did unlawfully a									
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[C.C. 14-95.6(d)] Manufacturing Selling or delivering Possessing with intent to sell or deliver a controlled substance dassified in schedule VI. [C.C. 14-95.7(d)] Manufacturing Methamphetamine. [C.C. 14-95.8(d)] 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 with intent to manufacture a controlled substance. [C.C. 14-95.8(d)] Possessing an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute mimediate precursor chemical will be used to manufacture weith methamphetamine in mimediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical knowing or having a presperm or angiosperm which can be used to produce any controlled substance with the produce and controlled substance or immediate precursor chemical into the territory of the Eastern Band of Cherokee Indians [C.C. 14-95.11(d)] Displayering, possessing with intent to use drug paraphermalia [C.C. 14-95.11(d)] Delivering, possessing with intent to deliver or manufacture with intent to deliver drug paraphermalia [C.C. 14-95.23(b)] Delivering possessing with intent to deliver or manufacture with intent to deliver drug paraphermalia [C.C. 14-95.23(b)] Delivery of drug paraphermalia to a person under 16 years of age or younger [C.C. 14-95.23(c)] Purchase or receive controlled substance to person under 16 years of age or younger [C.C. 14-95.23(d)] Sale or delivery of a cachol, day	☐ [C.C. 14	l-95.6(b)]	☐ Manufacturing with intent to sell	g ☐ Selling or deliver a	or deliv	/ering □ P lled substa	ossessing nce	Desci	ription of substance	(Kind, Quar	ıtity)	
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07-0472

EASTERN BAND OF CHEROKEE INDIANS 07-0761 The Cherokee Court EASTERN BAND OF CHEROKEE INDIANS VERSUS Name of Defendant CRÍMINAL COMPLAINT Stephanie Nicole Ogle CONTROLLED SUBSTANCES DOB Race Sex 12/02/1974 Female Location of Incident Date of Incident Time of Incident CIPD Case Number Prime Sirloin (PVA) 05/31/2007 15:15 0705311515 I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: C.C. 14-95.5(a) Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) Klonopin Schedule IV / 2 Pills I, II, III, IV, and V, specifically [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Aggravated Possession of Marijuana). [C.C, 14-95.5(c)] Possessing a controlled substance, specifically less than one-half once of marijuana or less than one-twentieth of an once of hasish (Simple Possession of Marijuana). [C.C. 14-95.6(b)] Manufacturing Selling or delivering Possessing Description of substance (Kind, Quantity) with intent to sell or deliver a controlled substance classified in schedule I, II, III, IV, and V, specifically [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 Methaqualone 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 [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 AGGREVATING 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 IC.C. 14-95.23(b)) Delivery of drug paraphernalia to a person under 16 years of age IC.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 Magistrate's Certification I certify that I have read the above statement and verify that the facts set forth in this complaint are true and correct to the best of my knowledge. Sworn and Subscribed before me this day. Date Name of Officer Signature of Officer Signature/of Judicial Official 05/31/07 Magistrate

CTC-CR-011, TEMP NEW 03/07 © 2007 The Cherokee Court

Norman Reed Jr.

EASTERN BAND OF CHEROKEE INDIANS 07-0762 The Cherokee Court EASTERN BAND OF CHEROKEE INDIANS VERSUS 图 5:43 AUN MAI Name of Defendant CRIMINAL COMPLAINT Stephanie Nicole Ogle **CONTROLLED SUBSTANCES** Race Sex DOB : 12/02/1974 **Female** Location of Incident Date of Incident Time of Incident CIPD Case Number Prime Sirloin (PVA) 05/31/2007 15:15 0705311515 I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) I, II, III, IV, and V, specifically Hydrocodone Schedule III/ 4 Pills [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Aggravated Possession of Marijuana). Possessing a controlled substance, specifically less than one-half once of marijuana or less than one-twentieth of an [C.C. 14-95.5(c)] once of hasish (Simple Possession of Marijuana). ☐ Manufacturing ☐ Selling or delivering ☐ Possessing Description of substance (Kind, Quantity) [C.C. 14-95.6(b)] with intent to sell or deliver a controlled substance classified in schedule I, II, III, IV, and V, specifically ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a controlled substance classified [C.C. 14-95.6(c)] 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 Methaqualone 🗍 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 [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 AGGREVATING 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 Magistrate's Certification I certify that I have read the above statement and verify that the facts set forth in this complaint are true and correct to the best of my knowledge. Sworn and Subscribed before me this day. Date Name of Officer Signature of Officer Signature of Judicial Official 05/31/07 Magistrate Norman Reed Jr. Judge

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File No EASTERN BAND OF CHEROKEE INDIANS 07-0763 The Cherokee Court EASTERN BAND OF CHEROKEE INDIANS VERSUS 11117 MY 31 Name of Defendant CRIMINAL COMPLAINT Stephanie Nicole Ogle CONTROLLED SUBSTANCES DOB Race Sex 12/02/1974 Female Location of Incident Date of Incident Time of Incident CIPD Case Number Prime Sirloin (PVA) 05/31/2007 15:15 0705311515 I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) Prolazopam/ Schedule IV 3 1/4 pills I, II, III, IV, and V, specifically [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Aggravated Possession of Marijuana). [C.C. 14-95.5(c)] Possessing a controlled substance, specifically less than one-half once of marijuana or less than one-twentieth of an once of hasish (Simple Possession of Marijuana). ☐ Manufacturing ☐ Selling or delivering ☐ Possessing Description of substance (Kind, Quantity) [C.C. 14-95.6(b)] with intent to sell or deliver a controlled substance classified in schedule I, II, III, IV, and V, specifically [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. Possessing an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute [C.C. 14-95.8(b)] 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 Methagualone 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 [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 AGGREVATING 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 Magistrate's Certification I certify that I have read the above statement and verify that the facts set forth in this complaint are true and correct to the best of my knowledge. Sworn and Subscribed before me this day Date Name of Officer Signature of Officer Signature of Judjoial Officia Date 05/31/07 Norman Reed Jr. Magistrate rman Keefx

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EASTERN BAND OF CHEROKEE INDIANS 07-0764 The Cherokee Court EASTERN BAND OF CHEROKEE INDIANS VERSUS 图 5:43 Name of Defendant CRIMINAL COMPLAINT Stephanie Nicole Ogle CONTROLLED SUBSTANCES Race Sex DOB 12/02/1974 Female Location of Incident Date of Incident Time of Incident CIPD Case Number Prime Sirloin (PVA) 05/31/2007 0705311515 15:15 I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) Oxycodone Schedule II / 5 Pills Endocet I, II, III, IV, and V, specifically [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Aggravated Possession of Marijuana). 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[C.C. 14-95.24] Possession of gun at time of offense Magistrate's Certification I certify that I have read the above statement and verify that the facts set forth in this complaint are true and correct to the best of my knowledge. Sworn and Subscribed before me this day. Date Name of Officer Signature of Officer Signature of Judicial Official Date Magistrate 05/31/07 Norman Reed Jr. easonst-Judge CTC-CR-011, TEMP NEW 03/07

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EASTERN BAND OF CHEROKEE INDIANS 07-0765 The Cherokee Court Fri 5: 43 EASTERN BAND OF CHEROKEE INDIANS VERSUS Name of Defendant CRIMINAL COMPLAINT Stephanie Nicole Ogle CONTROLLED SUBSTANCES DOB Race Sex 12/02/1974 **Female** Location of Incident Date of Incident Time of Incident CIPD Case Number Prime Sirloin (PVA) 05/31/2007 15:15 0705311515 I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the defendant named above did unlawfully and willfully violate the laws and ordinances made and provided for the peace and dignity of the Eastern Band of Cherokee Indians by: [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule Description of substance (Kind, Quantity) Oxycodone Schedule II / 22 Pills I, II, III, IV, and V, specifically [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half once of marijuana or more than one-twentieth of an once of hasish (Aggravated Possession of Marijuana). Possessing a controlled substance, specifically less than one-half once of marijuana or less than one-twentieth of an [C.C. 14-95.5(c)] once of hasish (Simple Possession of Marijuana). Description of substance (Kind, Quantity) JC.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 [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 Methaqualone 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 [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 AGGREVATING 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 Magistrate's Certification I certify that I have read the above statement and verify that the facts set forth in this complaint are true and correct to the best of my knowledge.

05/31/07 Norman Reed Jr. louran Reels CTC-CR-011, TEMP NEW 03/07

Signature of Officer

Name of Officer

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Date

Signature of Judigial Official

Sworn and Subscribed before me this day.

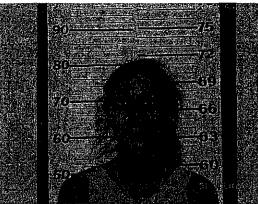
Magistrate 🏻

Recesar Judge

EASTERN BAND OF CHEROKEE INDIANS







--- SIDENTIEVINĖ INFODMATION

				The day	ABOU						
			Writ	Application No (if applicable)	Date Issued	(If applicabl	5:11 ₁	Design	ated Officia	a (II) applicable)
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			128	et Address of Ind 30 Watson 1		Box)					
			City Bry	son City				tate IC	Zip 287	13	
Date of Birth 12/02/1974		Race:		an Indian (Tri Black	be] Asian/ Paci	fic Islander	Othe	г		Sex:	☐ Male ☐ Female
Height 5-10		Weight 125			Hair Color Brown				e Color ΓΟ WΠ		,
Identifying Marks (List ar	ny marks, scar	s, tattoos)					-		•		,
Does the Individual If yes, provide the s Vehicle Description	tate and nu and Licens	mber if po	ssible: 3			Numbe	er: _85703				
Social Security Number of In 246-45-5740	ndividual				736-968	Number of Ind 4	ividual				
Is there any reason while drinking alcohol, ha If yes, specify the ci	s threatened a	an officer etc.			nsider the in	dividual a	potentia	threat	(i.e., carri	es concea	aled weapons
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				COUNCIL F	PROCEEDIN	GS	É	i et en e			
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CHEROKEE INDIAN POLICE DEPARTMENT DRUG ENFORCEMENT

5-31-07 Stephanie Ogle Controlled substance

- 1. On the above date I received a call from a confidential source that has proven credible and reliable in the past for the Cherokee Drug Enforcement Unit by providing information on illegal controlled substances. This information has led to numerous arrest in the past and has resulted in substantial amounts of illegal controlled substances that have been seized by the Cherokee Drug Enforcement Unit.
- 2. The confidential source stated that a female suspect by the name of Stephanie Ogle was at the Prime Sirloin parking lot selling pills. The confidential source then stated that the suspect was in a gold or brown Kia tag number TZZ-9069. I then hang up to immediately call Drug Enforcement Officer John West to assist.
- 3. I relay the information on Stephanie Ogle to Drug Enforcement Officer J. West and advise him to immediately move to the area of the Prime Sirloin to see if he can get a visual on the suspect and to confirm that the suspect is there.
- 4. Drug Enforcement Officer J. West calls back advises he has a visual on the suspect sitting in her vehicle and that there are a lot of people moving around the vehicle area, I then advise Drug Enforcement Officer J. West to move in and detain everyone at the scene for a Terry Stop, being that we received the drug information, we went to the exact area to confirm, and that people were moving around the vehicle acting suspicious as if a crime was being committed.

- 5. As Drug Enforcement Officer J. West did this I was heading to the suspect's location. Upon arrival the suspect was sitting in the drivers seat of a brown or gold Kia and her name was Stephanie Ogle.
- 6. I then asked Stephanie Ogle if she would step from the vehicle for a moment I wanted to ask her some questions, she then advised ok and she stepped out of the vehicle.
- 7. I then ask Stephanie Ogle if she had any kind of prescriptions for controlled substances, meaning controlled substances only prescribed by a licensed physician, and she said yes.
- 8. I then asked her where they were meaning the prescription medicine, and she said that they are in my purse on the front seat of my car. I then asked Stephanie if she minded if I retrieved the purse for her from the vehicle and she said ok.
- 9. When I got the purse from the vehicle there were more than one bottles of pills in her purse, some of the pills were mixed with others in the same bottle and I advised her that this was a violation and that she was supposed to have the right pills in the right bottle with the correct labels on the bottles.
- 10. One bottle had no label on it, brown pill bottle with a white lid containing 22 yellow and white capsules. I asked her where the label was for this bottle and did she have a prescription for it, she advised no that the pills belonged to her aunt. I then asked her why did she have them in her purse and she stated that she was just carrying them for her but her aunt was not with her. I later identified these 22 yellow and white capsules by calling the poison control center and giving a detailed description of them, they were identified as schedule II oxycodone.
- 11. I then place the suspect Stephanie Ogle under arrest for possession of a controlled substance and brought her before a Tribal Magistrate by which she submitted jurisdiction of the Tribe.

Drug Enforcement

Drug Investigation - Stephanie Olgle

(2:10 pm.)

Recieved a Call from a Contidential Source that
Stated they saw Stephanie Olgle selling pills in
the parking lot of the Prime Sicloin. I then
tell the Source to call back so I can notify

Drug Enforcement officer John West to assist.

(2:20 pm)

Lonfi dential Source calls back and states the Suspect Stephanie Olgle is in, a gold or brown Color Kin, tag # TZZ-9069.

(2:25 pm)

Call Drug Enforcement officer J. west back, I advise 'Twest to got to area to confirm Suspect is there in parking lot.

2:38 pm)

Drug Enforcement Officer J. West has visual on suspect, advises he see's people around suspect vehicle, I advise Drug Enforcement officer J. West to move in, Conduct Terry Stop, I'm on the way to assist.

N. Reed Jr.

Stephanie Ogle

Schedule II (yellow * white) 22 oxycodone

Schedule IV (Green) 3 = 1/4 Prolazopam

5 chedule III (white oval)
43 Hydrocodone

schedule I (yellow ovai)
5 oxycodone

Schedule IV (White round)
Kolonopin 2

EASTERN BAND OF CHEROKEE INDIANS TRIBAL COUNCIL

NOTICE OF HEARING

To: Stephanie Nicole Ogle

You are hereby notified that a hearing will be held on February 7, 2008 at 11:00 a.m. in the Tribal Council House, located on the Qualla Boundary at 88 Council House Loop, Cherokee, North Carolina, to determine whether you should be permanently excluded from the trust lands of the Eastern Band of Cherokee Indians. You are currently temporarily excluded from the trust lands of the Eastern Band of Cherokee Indians. Exclusion proceedings are conducted pursuant to Chapter Two of the Cherokee Code. A copy of Chapter Two is enclosed for your reference.

The Eastern Band is considering excluding you from Cherokee trust lands for the reasons provided in the enclosed resolution. The resolution will be presented to the Tribal Council at the hearing, at which time the Tribal Council will vote to determine if you should be excluded.

As the person named in the resolution, you have the right to appear in person before the Tribal Council at the hearing, to be represented by legal counsel, to testify under oath, to subpoena witnesses and to confront or question witnesses.

This the 18th day of January, 2008.

Chairman, Cherokee Tribal Council

RETURN OF SERVICE

I certify that this Notice of Exclusion was received and served as follows:

Name of Person Served: Stephanie Nicole Ogle via certified letter to Russell L.

McLean, III.

Date Received: Date Served: /-/8-08

Method of Service: Personal Registered mail X Served on incumbent's attorney via Certified Mail dated 1-18-08

If not served, give reason:

Date: January 18, 2008 Served by: Hannah Smith, Interim Attorney General

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)

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