

PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, QUALLA BOUNDARY, NC

MAY 31 2022

Date: \_\_\_\_\_

RESOLUTION NO. 300 (2022)

*A resolution to exclude Dang Tien Tran from the lands of the  
Eastern Band of Cherokee Indians.*

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

WHEREAS, DANG TIEN TRAN (date of birth 03/06/1986) is not a member of the Eastern Band of Cherokee Indians, and has been found to be on tribal trust lands while allegedly committing a drug crime; and

WHEREAS, on May 10, 2022, DANG TIEN TRAN was arrested at 131 Casino Drive on the Qualla Boundary and alleged to be in possession of a controlled substance (cocaine), and was taken to the Swain County Detention Center and charged with crimes in Swain County cases 22-CR-50710; and

WHEREAS, DANG TIEN TRAN was taken before a Cherokee Court Magistrate on May 10, 2022, and a Writ of Emergency Temporary Exclusion was issued and served on him, and he was scheduled a date to appear before Tribal Council; and

WHEREAS, due to the nature of these charges, the Tribal Council has good reason to believe that DANG TIEN TRAN is a threat to the integrity, law and order of EBCI lands and the welfare of the members of the Tribe.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council, in Council assembled with a quorum present and with the number of votes required by Tribal law, DANG TIEN TRAN is hereby permanently excluded from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

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

BE IT FURTHER RESOLVED that if DANG TIEN TRAN 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 Chief of Police of the Cherokee Indian Police Department pursuant to Cherokee Code Chapter 2.*

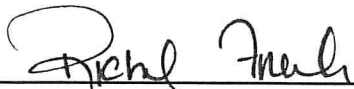
The attached Resolution/Ordinance No. 300 dated MAY 31, 2022 was:

PASSED (X)

KILLED ( )

and ratified in open Council on MAY 31, 2022 by 100 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe	X			
Adam Wachacha	X			
Bo Crowe	X			
Bill Taylor	X			
Albert Rose	X			
Dike Sneed	X			
Tommye Saunooke	X			
	100	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED  VETOED ( )

VETO UPHELD ( ) VETO DENIED ( )

DATE: 6/3/22

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

PASSED (X)

KILLED ( )

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

INTERPRETED ( )

OMITTED ( )