

# PASSED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, QUALLA BOUNDARY, NC

Date: JUL 12 2022

RESOLUTION NO. 337 (2022)

*A resolution to exclude Dontavius Juan Cox from the lands of the  
Eastern Band of Cherokee Indians.*

WHEREAS, the Eastern Band of Cherokee Indians ("EBCI" or "Tribe") has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of the lands, and the welfare of Tribal members; and

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

WHEREAS, the power to exclude is an inherent and essential part of Tribal sovereignty that is indispensable to the Tribe's autonomy and self-governance; and

WHEREAS, DONTAVIUS JUAN COX (Date of Birth: 05/10/1992) is not a member of the Eastern Band of Cherokee Indians; and

WHEREAS, on June 23, 2022, DONTAVIUS JUAN COX was found to be on Tribal lands at Five Oaks Drive while allegedly in possession of several controlled substances (including methamphetamine, fentanyl, heroin, and synthetic fentanyl); and

WHEREAS, DONTAVIUS JUAN COX was subsequently charged in Swain County District Court with several felony drug related crimes; and

WHEREAS, on June 24, 2022, DONTAVIUS JUAN COX was served with a Writ of Emergency Temporary Exclusion in file number TB 22-19; and

WHEREAS, due to the nature of the alleged criminal actions of DONTAVIUS JUAN COX, the Tribal Council has good reason to believe that DONTAVIUS JUAN COX 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, DONTAVIUS JUAN COX 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 DONTAVIUS JUAN

COX 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 DONTAVIUS JUAN COX is found improperly on Tribal lands at any time after the effective date of this resolution, he shall be treated as a trespasser and appropriate legal action shall be taken against him.

BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

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

The attached Resolution/Ordinance No. 337 dated JULY 12, 2022 was:

PASSED ( X )

KILLED ( )

and ratified in open Council on JULY 12, 2022 by 76 voting for the act  
and 24 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			
	76	0	0	24

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

  
\_\_\_\_\_  
ENGLISH CLERK

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

APPROVED (✓) VETOED ( )

VETO UPHELD ( ) VETO DENIED ( )

DATE: 7/14/22

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

PASSED (✓)

KILLED ( )

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

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

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