

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: FEB 28 2023

RESOLUTION NO. 527 (2023)

A resolution to exclude Anthony Deshun Shivers 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, ANTHONY DESHUN SHIVERS (Date of Birth: 02/27/1970) is not a member of the Eastern Band of Cherokee Indians; and
- WHEREAS, on February 2, 2023, Cherokee Indian Police Department officers responded to the Cherokee Grand Hotel at 196 Painttown Road on the Qualla Boundary and obtained and executed a search warrant on a room occupied by ANTHONY DESHUN SHIVERS; and
- WHEREAS, ANTHONY DESHUN SHIVERS was found to be in possession of 213 grams of what is alleged to be methamphetamine, 31 grams of what is alleged to be heroin, drug paraphernalia, and \$14,948 in cash; and
- WHEREAS, ANTHONY DESHUN SHIVERS was taken before a Tribal magistrate and a Writ of Emergency Exclusion was issued; and
- WHEREAS, due to the nature of the alleged criminal actions of ANTHONY DESHUN SHIVERS, Tribal Council has good reason to believe that he is a threat to the integrity, law and order of EBCI lands and the welfare of the members of the Tribe; and
- WHEREAS, ANTHONY DESHUN SHIVERS is a Black male, 5'10" tall, 210 lbs., with Black hair and Brown eyes; and

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, ANTHONY DESHUN SHIVERS 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 ANTHONY DESHUN SHIVERS from entering or being present on Tribal lands for any purpose except as required by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if ANTHONY DESHUN SHIVERS 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 Chief of Police Carla Neadeau.

The attached Resolution/Ordinance No. 527 dated FEBRUARY 28, 2023 was:

PASSED (X)

KILLED ()

and ratified in open Council on FEBRUARY 28, 2023 by 88 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			
Andrew Oocumma	X			
Albert Rose	X			
Dike Sneed	X			
Michael Stamper	X			
	88	0	0	0



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 3/3/23

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 ()