

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: NOV 07 2024

RESOLUTION NO. 351 (2024)

A resolution to exclude Maximilian William Peterson 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 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, MAXIMILIAN WILLIAM PETERSON (Date of Birth: 09/19/2024) is not a member of the Eastern Band of Cherokee Indians, but is said to be residing in and around the Qualla Boundary; and

WHEREAS, on September 19, 2024, CIPD officers responded to 145 Owle Drive on the Qualla Boundary, where MAXIMILIAN WILLIAM PETERSON assaulted Brian David Owle in his own home, by shooting Owle with rubber bullets; and

WHEREAS, during the investigation, it was found that MAXIMILIAN WILLIAM PETERSON had also stolen property of others who were in the house with Owle; and

WHEREAS, when CIPD executed a search warrant for the residence of MAXIMILIAN WILLIAM PETERSON they found the firearm used in the assault on Mr. Owle as well as 137 grams of methamphetamine; and

WHEREAS, MAXIMILIAN WILLIAM PETERSON was charged in North Carolina state court for trafficking in methamphetamine. PETERSON also has an extensive criminal history and history from all over the United States; 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, MAXIMILIAN WILLIAM PETERSON 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
MAXIMILIAN WILLIAM PETERSON 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 MAXIMILIAN WILLIAM PETERSON
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 351 dated NOVEMBER 7, 2024 was:

PASSED (X)

KILLED ()

and ratified in open Council on NOVEMBER 7, 2024 by 76 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French	X			
Perry Shell	X			
Boyd Owle	X			
Bucky Brown				X
Tom Wahnetah	X			
David Wolfe	X			
Adam Wachacha				X
Mike Parker	X			
Bo Crowe	X			
Jim Owle	X			
Dike Sneed				X
Michael Stamper				X
	76	0	0	24

Mike Parker
TRIBAL COUNCIL CHAIRMAN

Michelle Thompson
ENGLISH CLERK

Michael D. Hale
PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 11-10-24

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 ()