

AMENDED PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: January 9, 2025

RESOLUTION NO. 388 (2024)

*A resolution to exclude Andrew James Henry 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, ANDREW JAMES HENRY (DOB 12/1/1976) 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, ANDREW JAMES HENRY, who is presently unemployed and based on his Cherokee Tribal Criminal History Records, has been residing on the boundary of the E.B.C.I. since 12/16/2004; and

WHEREAS, Andrew James Henry has been permanently evicted from the Harrah’s Cherokee Casino; and

WHEREAS, However, on November 3, 2024, while at Harrah’s Cherokee Casino, Andrew James Henson, stole a bicycle belonging to William Henry Poolaw of Cherokee; and

WHEREAS, Cherokee Indian Police Department has had to deal with ANDREW JAMES HENRY at least 10 times in the last eight years and his criminal history is such that he has both NC and FBI numbers.

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, ANDREW JAMES HENRY is hereby PERMANENTLY EXCLUDED from all Tribal lands and is hereby notified and ordered to vacate all tribal lands.

1 BE IT FURTHER RESOLVED that this permanent exclusion prohibits ANDREW JAMES
2 HENRY from entering or being present on Tribal lands for any purpose except as
3 required by Tribal Council or Tribal Court.
4

5 BE IT FURTHER RESOLVED that if ANDREW JAMES HENRY is found improperly on
6 Tribal lands at any time after the effective date of this resolution, he shall be
7 treated as a trespasser and appropriate legal action shall be taken against him.
8

9 BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded,
10 and that this resolution shall become effective when ratified by the Principal
11 Chief.
12

13 *Submitted by Chief of Police Carla Neadeau.*

AMENDED
PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA
JANUARY 9, 2025

AMENDMENT to RESOLUTION No. 388 (2025):
Amend the year from "2024" to "2025"

The attached Resolution/Ordinance ____388____ dated JANUARY 9, 2025 was:

PASSED (X)

KILLED ()

and ratified in open Council on JANUARY 9, 2025 by 93 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			
	93	0	0	7

Mike Parker

TRIBAL COUNCIL CHAIRMAN

Myrtle Johnson

ENGLISH CLERK

Michael Hills

PRINCIPAL CHIEF

APPROVED (✓)

VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 1-16-25

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 ()