

PASSED

CHEROKEE COUNCIL HOUSE
CHEROKEE, QUALLA BOUNDARY, NC

Date: FEB 06 2025

RESOLUTION NO. 411 (2025)

A resolution to exclude Dustin Lewis Monti 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, DUSTIN LEWIS MONTI (DOB 10/14/1990) is not a member of the Eastern Band of Cherokee Indians; and

WHEREAS, DUSTIN LEWIS MONTI, has criminal convictions that include, Flee to Elude, Felony Breaking and Entering, Felony Larceny, Felony Financial Card Theft, Robbery With a Dangerous Weapon, and Assault Inflicting Serious Injury; and

WHEREAS, DUSTIN LEWIS MONTI has also been charged with violent crimes to include attempted first-degree murder; and

WHEREAS, on 12/3/2024, Monti was found in possession of Methamphetamine (Felony), on the Qualla Boundary; and

WHEREAS, Monti was served with a Writ of Emergency Temporary Exclusion (TB 24-0011), on 12/03/2024. Monti does not appear to have any legitimate business upon the Qualla Boundary. It is believed that Monti poses a threat to the health, welfare, and safety to the members of the Eastern Band of Cherokee Indians and the EBCI in its entirety.

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, DUSTIN LEWIS MONTI 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 DUSTIN LEWIS
2 MONTI from entering or being present on Tribal lands for any purpose except as required by
3 Tribal Council or Tribal Court.

4
5 BE IT FURTHER RESOLVED that if DUSTIN LEWIS MONTI 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9 BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded,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.*

The attached Resolution/Ordinance 411 dated FEBRUARY 6, 2025 was:

PASSED (X)

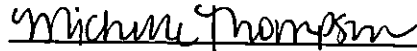
KILLED ()

and ratified in open Council on FEBRUARY 6, 2025 by 88 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			
	88	0	0	12



TRIBAL COUNCIL CHAIRMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED (✓) VETOED ()

VETO UPHeld () VETO DENIED ()

DATE: 2-12-25

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 ()