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**CHEROKEE COUNCIL HOUSE  
CHEROKEE, QUALLA BOUNDARY, NC**

Date: \_\_\_\_\_

**RESOLUTION NO. \_\_\_\_\_ (2025)**

*A resolution to exclude Yamil Montalvo Rivera 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, YAMIL MONTAVO RIVERA (Date of Birth: 12/07/2000) 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, RIVERA is 24 years old with a lengthy criminal history that includes charges for Weapons Violations, Aggravated Assault, Disorderly Conduct, Terroristic Threats, Probation Violations and Domestic Violence; and

WHEREAS, RIVERA was involved in an incident on the Qualla Boundary on 12/27/2024 where the victim, Jorge Rodriguez was stabbed almost 20 times in multiple places on his body by RIVERA and two other males; and

WHEREAS, RIVERA does **not** appear to have any legitimate business upon the Qualla Boundary and **poses** a threat to the health, welfare, and safety to the members of the Eastern Band of Cherokee Indians and the EBC in its entirety; 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, YAMIL MONTAVO RIVERA 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 YAMIL MONTAVO RIVERA 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 YAMIL MONTAVO RIVERA 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BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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.*

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