

**Cherokee Council House
Cherokee, Qualla Boundary (NC)**

Date: _____

RESOLUTION NO. _____ (2016)

WHEREAS, the Eastern Band of Cherokee Indians has the sovereign authority to exclude persons from lands of the Eastern Band in order to protect the integrity, law and order of those lands and the welfare of the members of the Tribe; 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, ANDREW TAB KILPATRICK is not a member of the Eastern Band of Cherokee Indians and is or has been entering or residing on Tribal lands; and

WHEREAS, on 12/22/15 ANDREW TAB KILPATRICK was arrested due to the probable cause of a violation of Cherokee Criminal Code for the following drug related offenses:

- a. Cherokee Code 14-95.5(a) Possessing a controlled substance classified in Schedules I-V, specifically for possession of Methamphetamine .5 grams;
- b. Cherokee Code 14-95.11(c) Using, possessing with intent to use drug paraphernalia;

WHEREAS, due to his criminal history of which includes possessions of drugs ANDREW TAB KILPATRICK, the Tribal Council has good reason to believe that ANDREW TAB KILPATRICK is a threat to the law and order on Tribal lands and a threat to the welfare of enrolled members.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council, in Council assembled, with a quorum present that ANDREW TAB KILPATRICK 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 ANDREW TAB KILPATRICK from entering on or being present on Tribal lands for any purpose except as required by a subpoena issued by Tribal Council or Tribal Court.

BE IT FURTHER RESOLVED that if ANDREW TAB KILPATRICK 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BE IT FINALLY RESOLVED that all resolutions inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.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 The Cherokee Indian Police Department Chief of Police pursuant to Cherokee Code 2-9.