

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

Date: _____

RESOLUTION NO. _____ (2018)

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 this Eastern Band at Chapter 2 of the Cherokee Code; and

WHEREAS, SEGAR WILLIAMS JR. with a date of birth of 10/3/1985 is a not a member of the Eastern Band of Cherokee Indians; and

WHEREAS, on July 19th 2017, SEGAR WILLIAMS JR was charged with:

Kidnapping;
Criminal Mischief;
Communicating Threats;
Assault on a Female;
Criminal Coercion;

All of which were committed against an enrolled member of the Eastern band of Cherokee Indians; and

WHEREAS, most recently, on or about 02/22/2018, SEGAR WILLIAMS JR plead guilty to the following offense on Tribal lands of the Eastern Band of Cherokee Indians:

Assault on a Female; and

WHEREAS, SEGAR WILLIAMS JR received a sentence from the Cherokee Court of 12 months incarceration. The sentence was suspended for 12 months and he was placed on supervised probation with a special condition that the first 6 Months of his sentence is to be served on house arrest This house arrest sentence is set to expire on August 2018; and

WHEREAS, Under C. C. §14-4-.56 (assault on a female) “shall be punishable by a fine not to exceed \$5,000.00, by a term of imprisonment not to exceed one year, exclusion for a period of not less than one year nor more than ten years; or any combination of them.” (emphasis added).

WHEREAS, the power to banish SEGAR WILLIAMS JR for his conviction lies solely within the power of Tribal Council under Cherokee Code Chapter 2; and

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present and with the number of votes required by Tribal law, that SEGAR WILLIAMS JR is hereby excluded from all Tribal lands for 10 years and is hereby notified and order to vacate all Tribal lands.

BE IT FURTHER RESOLVED that this temporary exclusion prohibits SEGAR WILLIAMS JR 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 SEGAR WILLIAMS JR 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 that are inconsistent with this resolution are rescinded, and that this resolution shall become effective when ratified by the Principal Chief.

Submitted by the Tribal Prosecutor pursuant to Cherokee Code Chapter 2.