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FORT APACHE INDIAN AGENCY
WATER RIVER, ARIZ

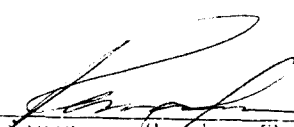
RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE
OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Tribal Council has been advised by the Tribal Attorney that the Texas Adoption Decree of a Tribal member, the minor child Lalitta Goclanney was vacated and set aside on the basis of fraud by the Honorable Jack Arnold, Judge of the Superior Court in and for the County of Pima, State of Arizona, and
- WHEREAS, the Honorable Jack Arnold also ruled that the Tribal Court's jurisdiction over the determination of custody of Lalitta, an enrolled member of the White Mountain Apache Tribe, was in the White Mountain Apache Tribal Court pursuant to the Indian Child Welfare Act, and
- WHEREAS, the Juvenile Court officer for the White Mountain Apache Tribe reports that he traveled to Tucson to the home of the adoptive parents, Mr. & Mrs. Hermann Desrocher, for purposes of taking custody of Lalitta Goclanney, a minor child, and
- WHEREAS, the Desrochers have vacated their home and taken the child with them in violation of a lawful Tribal Court custody order and in violation of said custody order, and
- WHEREAS, the Desrochers have committed custodial interference by knowingly taking and keeping from lawful custody the minor child Lalitta when they know or have reason to know that they have no legal right to do so in light of the Superior Court order issued by Judge Arnold and the Tribal Court order issued by the White Mountain Apache Tribal Court which was communicated to them by their attorney, and
- WHEREAS, pursuant to A.R.S. §13-1302 the above described custodial interference is a Class 6 Felony unless the person taken from lawful custody is returned voluntarily by the defendant without physical injury prior to arrest, and

WHEREAS, the Tribal Council wishes to file a criminal complaint with the proper law enforcement authorities in Pima County for the State of Arizona against the Desrochers for violation of A.R.S. §13-1302 and good cause appearing therefore in the interest of protecting the future welfare of minor children of the White Mountain Apache Tribe and for the protection of the integrity, sovereignty of the Tribal Court as guaranteed by the Indian Child Welfare Act and the Constitution and Laws of the United States as well as the State of Arizona.

BE IT RESOLVED by the White Mountain Apache Tribal Council that it hereby directs the Chairman of the Tribal Council to file a criminal complaint on behalf of the White Mountain Apache Tribe and the Tribal Court, with the proper law enforcement authorities in Pima County and the State of Arizona against Mr. and Mrs. Normand Desrochers for custodial interference of lawful custody of the minor child Lalitta Goelanne, an enrolled member of the White Mountain Apache Tribe less than eighteen years of age.

The foregoing Resolution was on February 05, 1982, duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article V, Section 1 () of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (45 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council