

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 Richard Kay Pierce, Jerry Raymond Brazzell and David Neal Moore have been convicted of various violations of federal law for having committed crimes on the Fort Apache Indian Reservation stemming from the kidnapping and the assault with a dangerous weapon with intent to do bodily harm upon a Tribal Game Ranger and for damaging tribal property, and

WHEREAS, all three defendants have received probation from the United States District Court Judge as follows:

Three (3) years for Richard Kay Pierce  
Three (3) years for Jerry Raymond Brazzell  
Five (5) years for David Neal Moore, and

WHEREAS, the Tribal Council has been advised that at least one of the defendants, Richard Kay Pierce has taken part in Indian Rodeos on the Fort Apache Indian Reservation since being placed on probation, and

WHEREAS, the Tribal Council has the authority under Exclusionary Ordinance No. 129 to petition the Tribal Court for the exclusion of non-members who have been convicted of federal crimes on the reservation in order to protect the people and property of the White Mountain Apache Tribe and to exclude unsavory and detrimental persons from the reservation, and

WHEREAS, the Tribal Council concludes that Richard Kay Pierce, Jerry Raymond Brazzell and David Neal Moore are undesirable persons who have already proven their unworthiness and dangerous propensities by being convicted of violating the Federal Criminal Code for committing personal and property damage on the Fort Apache Indian Reservation, and

WHEREAS, the Tribal Council concludes that it is in the best interest of the people and property of the White Mountain Apache Tribe and for their well-being, preservation and safety to exclude the aforementioned non-members of the White Mountain Apache Tribe permanently from the Reservation.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney to draft a petition for the permanent exclusion and removal of Richard Kay Pierce, Jerry Raymond Brazzell and David Neal Moore from the exterior boundaries of the Fort Apache Indian Reservation and to file said petition in Tribal Court forthwith.

The foregoing resolution was on August 03, 1983 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 (i & q) 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 (48 Stat. 984).



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Chairman of the Tribal Council

**RECEIVED**

AUG 11 1983

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, ARIZ.



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Secretary of the Tribal Council