



Resolution No. 04-2006-99

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

(Ordering Exclusion of Eldon King, a non-member, from the Fort Apache Indian Reservation)

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to the Constitution; and

WHEREAS, Chapter 5 of the White Mountain Apache Government Code provides, "A non-member of the White Mountain Apache Tribe may be excluded or removed from the Fort Apache Indian Reservation after a hearing and the entry of an exclusion or removal order, or in cases involving a threat or danger to the public health, safety, or sovereignty of the White Mountain Apache Tribe or for violating Section 5.5, pending such a hearing, upon order of a Tribal Judge of the White Mountain Apache Tribe"; and

WHEREAS, Glenda Harvey King, an individual who is a member of the White Mountain Apache Tribe, together with members of his family, presented a complaint against Eldon King; and

WHEREAS, Mr. King is not a member of the Tribe, and is instead a member of the Navajo Tribe and therefore a non-member within the meaning of 5.2(B) of the Government Code; and

WHEREAS, Ms. King's family alleged to the Tribal Council that Mr. King has been committing illicit cohabitation and has been charged with domestic violence on October 8, 2006, violations of the Tribe's Criminal Code Sections 2.41 and 6.2; and

WHEREAS, the Tribal Council finds that Mr. King's violations of the Criminal Code are grounds under Section 5.5(B)(2) of the Government Code for an exclusion order to prohibit his entry onto the lands of the Fort Apache Indian Reservation.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache that:

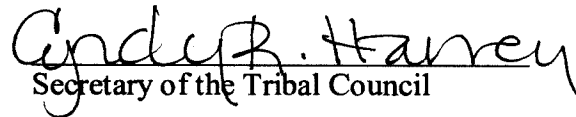
1. Eldon King, a non-member, presents a threat to the public health of the Tribe and its members and that he should be removed from the Fort Apache Indian Reservation pursuant to Section 5.5(B)(2) of the Government Code.

Resolution No. 04-2006-99

2. The Tribal Attorney is directed to take legal action against Mr. King, including a petition for an exclusion order from the White Mountain Apache Tribal Court to enforce the intent and terms of this resolution.

The foregoing resolution was on April 12, 2006, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council