



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

**(Directing the Prosecutor's Office and the White Mountain Apache Tribal Court to expedite immediate exclusion of Carlos Perez, a non-member, non-Indian from the lands of the Fort Apache Indian Reservation)**

- WHEREAS**, pursuant to Article IV, Section 1(a), of the White Mountain Apache Constitution, 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**, Denise Lupe, a member of the Tribe, did this day present a complaint against her brother-in-law, Carlos Perez, a non-member, non-Indian; and
- WHEREAS**, Mr. Perez is a non-Indian and has been residing in Charlene Lupe's house on 9 East Bonito Street with Pamela Lupe-Perez, his wife; and
- WHEREAS**, Pamela Lupe-Perez had to move out of the house because of domestic violence perpetrated by Mr. Perez; and
- WHEREAS**, Ms. Lupe alleged to the Tribal Council that: (1) Mr. Perez had ransacked the Lupe home, committing damages worth thousands of dollars; (2) trafficked in illegal narcotics; (3) is a methamphetamine addict; and (4) is considered a trespasser by the family; and
- WHEREAS**, Ms. Lupe further alleged that Pamela Lupe-Perez would execute an affidavit attesting to Mr. Perez's trespass and the necessity for his removal, and seek an Order of Protection; and
- WHEREAS**, Mr. Perez's actions constitute violations of the Tribe's Criminal Code Sections 2.4 / 6.2D Assault / Domestic Violence; 2.23 Aggravated Criminal Damage; 2.51 Narcotics & Dangerous Drugs; 2.24 Criminal Trespass; and 2.50 Misusing Property; and
- WHEREAS**, the Tribe's Government Code, Section 5.4 provides for exclusion of non-members from the lands of the Fort Apache Indian Reservation in cases involving a threat or danger to the public health, safety, or sovereignty of the White Mountain Apache Tribe; and
- WHEREAS**, the Tribal Council finds that Mr. Perez's alleged actions stand in violation of the Criminal Code, such that he presents a threat or danger to the public health and safety of the Tribe, which are grounds under Section 5.5 of the Government Code for an immediate exclusion order to remove him from the lands of the Fort Apache Indian Reservation and prohibit his entry thereto.

**Resolution No. 03-2007-050**

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that Carlos Perez, a non-member, non-Indian is hereby determined to be a threat or danger to the public health and safety of the White Mountain Apache Tribe.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Tribal Attorney's Office, by through the Prosecutor's Office, is hereby directed to assist the Lupe family with appropriate legal action against Carlos Perez, if such action has merit, including (1) an expedited exclusion order pursuant to the Tribe's Government Code for Mr. Perez's immediate removal from the lands of the Fort Apache Indian Reservation; and (2) orders of protection for the Lupe family against Mr. Perez.

The foregoing resolution was on March 7, 2007 duly adopted by a vote of TEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to 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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council