



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

(Exclusion of Lanford Allen, a non-member Indian, from the lands of 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

WHEREAS, Marina Allen, a White Mountain Apache tribal member, on this day did present a complaint against her ex-husband, Lanford Allen, a non-member; and

WHEREAS, Lanford Allen, a non-member Indian has been living at Ben Gay Housing, Unit #39; and

WHEREAS, Marina Allen reports that she divorced Lanford Allen, however, he refuses to leave the Fort Apache Indian Reservation; and

WHEREAS, Marina Allen further alleges that Lanford Allen's male relative recently told her daughter that Lanford Allen instructed him to attack Marina Allen and sexually assault her; and

WHEREAS, Marina Allen further alleges that she and her family are living in fear for their safety; and

WHEREAS, Marina Allen also alleges that she would execute an affidavit attesting to Lanford Allen's threats and the necessity for his removal, and seek an Order of Protection; and

WHEREAS, Lanford Allen's actions as alleged by Marina Allen violate the Tribe's Criminal Code, Section 2.19, Conspiracy and Section 4.4 Sexual Abuse; 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 Lanford Allen's alleged actions constitute a violation of the Criminal Code, such that he presents a threat or danger to the public health and safety of the Tribe; and

WHEREAS, the Tribal Council finds that Lanford Allen'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.

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

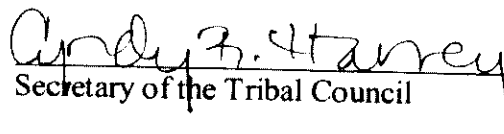
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Attorney's Office by and through the Prosecutor's Office, is hereby directed to assist the Marina Allen family with appropriate legal action against Lanford Allen, if such action has merit, including (1) an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

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate this Resolution.

The foregoing resolution was on February 19, 2008, duly adopted by a vote of 6 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (i), (k), (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

Resolution No. 02-2008-39

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 02-2008-39 initiated the 19th day of February 2008. **Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials**

Ronnie Lupe
Tribal Chairman
Date Signed _____ TCS Initials _____

Margaret Baha-Walker
Vice Chairwoman
Date Signed _____ TCS Initials _____

Arnold Beach, Sr.
Arnold Beach, Sr.
District I Council Member
Date Signed 2-19-8 TCS Initials cm

Evangeline Gatewood
Evangeline Gatewood
District I Council Member
Date Signed 2/19/08 TCS Initials cm

Lafe Altaha
Lafe Altaha
District II Council Member
Date Signed 2/20/08 TCS Initials cm

Victoria Brewer
District II Council Member
Date Signed _____ TCS Initials _____

Alvin DeClay, Sr.
Alvin DeClay, Sr.
District III Council Member
Date Signed 02/20/08 TCS Initials cm

Kirk Massey, Sr.
Kirk Massey, Sr.
District III Council Member
Date Signed 2/19/08 TCS Initials cm

Noland Clay
District IV Council Member
Date Signed _____ TCS Initials _____

Wayne Colelay, Jr.
Wayne Colelay, Jr.
District IV Council Member
Date Signed 2/19/08 TCS Initials cm

Reno Johnson, Sr.
District IV Council Member
Date Signed _____ TCS Initials _____

ATTEST:

Cyndy R. Harvey
Cyndy R. Harvey, Tribal Council Secretary
Date Signed 2.22.08