



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Directing the Tribe's Attorney General to initiate proceedings in the White Mountain Apache Tribal Court for the exclusion of Gary Muesch, a non-member from the lands of the Fort Apache Indian Reservation)

WHEREAS, a complaint was presented to the Tribal Council against Gary Muesch, a non-tribal member, residing on the Fort Apache Indian Reservation; 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. Muesch'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 Gary Muesch, a non-member 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 Attorney General, through the Legal Department and Prosecution Department, is hereby directed to seek an exclusion order for Gary Muesch pursuant to the Tribe's Government Code for Mr. Muesch's immediate removal from the lands of the Fort Apache Indian Reservation.

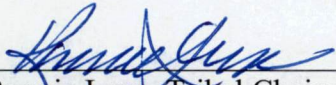
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

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

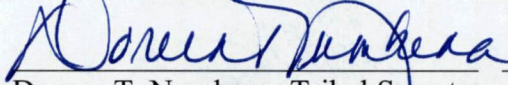
Resolution No. 08-2016-178

The foregoing resolution was on **AUGUST 4, 2016** duly adopted by a vote of **SEVEN** for and **ZERO** against with **ZERO** abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

Date



Doreen T. Numkena, Tribal Secretary

Date

10-17-16