



Resolution No. 09-2006-316

**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 orders of protection for Francis "Butch" Quay, Jr. against Marsha (Rolland) Quay)**

**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**, the family of Francis "Butch" Quay, Jr., an individual who is a member of the White Mountain Apache Tribe, presented a complaint against Marsha (Rolland) Quay who currently resides in Canyon Day; and

**WHEREAS**, Ms. Quay is not a member of the Tribe, and is instead a member of the San Carlos Apache Tribe; and

**WHEREAS**, Mr. Quay's family alleged to the Tribal Council that Ms. Quay committed illicit cohabitation, assault with a deadly weapon, trafficking in illegal narcotics and repeated harassment of his family, acts that constitute violations of the Tribe's Criminal Code Sections 2.41; 2.6; 2.51; and 2.28 of 6.2.

**WHEREAS**, the Tribal Council finds that Ms. Quay's alleged violations of the Criminal Code, but remains unclear as to why orders of protection have not been granted by the Tribal Court; and

**WHEREAS**, the Tribal Council further finds that Ms. Quay's alleged violations of the Criminal Code are grounds under Section 5.5(B)(2) of the Government Code for an exclusion order to prohibit her entry onto the lands of the Fort Apache Indian Reservation, but that a thirty day period may be required to assess whether such exclusion is warranted.

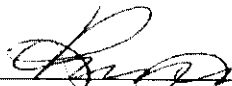
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

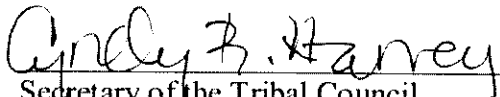
1. The Tribal Attorney's Office, by and through the Prosecutor's Office, is hereby directed to assist the Quay family with appropriate legal action against Marsha (Rolland) Quay, if such action has merit, including expedited orders of protection for the Quay family against Ms. Quay.
2. The Tribal Attorney's Office, by and through the Prosecutor's Office, is further directed to make a legal assessment as to whether a petition for an exclusion order pursuant to Section

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5.5(B)(2) may be warranted, and report back to the Tribal Council accordingly within thirty (30) days of the date of this Resolution.

The foregoing resolution was on September 19, 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