



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

**(Directing the Tribal Attorney to initiate proceedings in the White Mountain Apache Tribal Court for the exclusion of Tyron Emory, 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**, the Cibecue School District has presented a complaint to the WMAT Legal Department against Tyron Emory, a non-member, non-Indian; and
- WHEREAS**, Mr. Emory is a non-Indian and has been residing in Cibecue; and
- WHEREAS**, Mr. Emory has engaged in disruptive behavior and has made repeated threats against Tribal members and Tribal employees; and
- WHEREAS**, the WMAPD was called in to remove Mr. Emory after he allegedly engaged in a disruptive incident at the Cibecue school; and
- WHEREAS**, the Cibecue School District, by and through its members, feels that Mr. Emory presents a continued threat to the public health, safety and welfare of the school district; and
- WHEREAS**, Mr. Emory's actions constitute violations of the Tribe's Criminal Code Sections 2.5 (Aggravated Assault), 2.68 (Threatening & Intimidating), 2.29 (Disorderly Conduct); 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. Emory'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 Tyron Emory, 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.

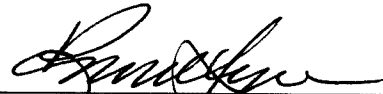
**Resolution No. 09-2009-313**

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Tribal Attorney, by through the Legal Department and Prosecution Department, is hereby directed to seek an exclusion order for Tyron Emory pursuant to the Tribe's Government Code for Mr. Emory'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 in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

**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 the intent of this Resolution.

The foregoing resolution was on **SEPTEMBER 22, 2009** duly adopted by a vote of **EIGHT** 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).



Chairman of the Tribal Council



Secretary of the Tribal Council