



**RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN RESERVATION**

***A Resolution entitled, "Emergency Writs Of Exclusion of 2 Individuals from the Fort
Berthold Indian Reservation"***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** On June 10, 2011, the Tribal Business Council passed the Civil Exclusion and Removal Code ("Exclusion Code"), as amended by Resolution 13-001-VJB, which is Title 2A of the Tribal Code of the Three Affiliated Tribes; and
- WHEREAS,** Under 2A-1-7(f)(B) of the Exclusion Code the Tribal Business Council may issue Emergency Writs of Exclusion for non-members who are known drug dealers or have warrants out for their arrest in other jurisdictions; and
- WHEREAS,** Exclusion includes the removal of the person and any of their property from the Reservation at the person's expense and prevention of reentry onto the Reservation for such period of time as set forth by Tribal law; and
- WHEREAS,** There is an emergency situation on the Reservation within the meaning of Section 2A-1-7(f)(B) of the Exclusion Code since Alissa Ann Rosario and Maximus Antonio Avila are present on the Reservation and evidence has been presented that they are known drug dealers; and
- WHEREAS,** The Tribal Business Council has reviewed the evidence provided by its Division of Drug Enforcement and finds that Alissa Ann Rosario and Maximus Antonio Avila are known drug dealers and their exclusion from the Reservation is necessary; and



WHEREAS, The Tribal Business Council further finds that exclusion of Alissa Ann Rosario and Maximus Antonio Avila is in the best interest of the health, safety, and welfare of the Nation and its members.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council issues Emergency Writs of Exclusion to and for Alissa Ann Rosario and Maximus Antonio Avila, and directs that they be excluded from the Reservation until such time as either or both petitions the Tribal Business Council to have the Writ of Exclusion dissolved and dissolution is granted by the Tribal Business Council.

BE IT FURTHER RESOLVED, All Tribal Law Enforcement Officers are directed to execute and enforce these Writs of Exclusion in accordance with the Exclusion Code.

BE IT FINALLY RESOLVED, That Chairman Mark Fox along with the Judicial Committee Chairperson are hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.

[Remainder of Page Left Blank, Certification Follows]




CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of February, 2022, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman [X] Voting. [] Not Voting.

Dated this 9th day of February, 2022.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes



Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes