

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Appropriating \$50,000 from the Budget Reserve to the Law Office of Walter Nash, III, P.C. to represent Gina Celaya in her petition for writ of *habeas corpus* to the United States District Court for the District of Arizona and any necessary appeal to the United States Ninth Circuit Court of Appeals)**

**RESOLUTION NO. 01-234**

1 **WHEREAS, Tohono O'odham member Gina Celaya was convicted of first degree murder and**  
2 **armed robbery following an incident that occurred in December, 1992 when Ms.**  
3 **Celaya was fourteen years and two days old; and**

4 **WHEREAS, Ms. Celaya is the youngest person ever tried and convicted as an adult for murder in**  
5 **Pima County; and**

6 **WHEREAS, Ms. Celaya received a sentence of 35-years-to-life which she is now serving; and**

7 **WHEREAS, Ms. Celaya's state court appeal and post-conviction proceedings have been exhausted**  
8 **and the state courts have refused to grant Ms. Celaya a new trial; and**

9 **WHEREAS, the lawyers who represented Ms. Celaya at the state level have contacted the Nation**  
10 **and requested that funds be appropriated to retain counsel to file a federal *Petition***  
11 ***for Writ of Habeas Corpus* on Ms. Celaya's behalf because they believe that her**  
12 **federal constitutional rights were violated; and**

13 **WHEREAS, Mary Celaya, Ms. Celaya's mother, has contacted the Nation and requested on Ms.**  
14 **Celaya's behalf, that funds be appropriated for this purpose; and**

15 **WHEREAS, the request to appropriate funds for this purpose has been reviewed by the Domestic**  
16 **Affairs Committee and the Budget and Finance Committee and forwarded to the full**  
17 **Council for consideration; and**

18 **WHEREAS, funds are available for appropriation in the Budget Reserve.**

19 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**  
20 **appropriates \$50,000 from the unobligated Budget Reserve to the Law Offices of**  
21 **Walter Nash, III, P.C. to represent Gina Celaya in her petition for writ of *habeas***  
22 ***corpus* to the United States District Court for the District of Arizona and any necessary**  
23 **appeal to the United States Ninth Circuit Court of Appeals.**

24 **BE IT FURTHER RESOLVED that the Nation's Treasurer is hereby authorized to transfer**  
25 **\$50,000 to the Law Offices of Walter Nash, III, P.C. as a refundable retainer on behalf**  
26 **of Gina Celaya for her petition for writ of *habeas corpus* to the United States District**

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**Appropriating \$50,000 from the Budget Reserve to the Law Office of Walter Nash, III, P.C. to represent Gina Celaya in her petition for writ of *habeascorpus* to the United States District Court for the District of Arizona and any necessary appeal to the United States Ninth Circuit Court of Appeals**  
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1                   **Court for the District of Arizona and any necessary appeal to the United States Ninth**  
2                   **Circuit Court of Appeals; any unexpended funds shall be refunded to the Tohono**  
3                   **O'odham Nation's Budget Reserve.**

4 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that Law Offices of Walter**  
5                   **Nash, III, P.C. shall report to and provide updated information on the status of Gina**  
6                   **Celaya's petition for writ of *habeas corpus* and appeal to the Tohono O'odham**  
7                   **Legislative Council and the Chairman of the Tohono O'odham Nation.**


8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH. Day**  
9 **of MAY, 2001 at a meeting at which a quorum was present with a vote of 1,255.75 FOR; 353.2**  
10 **AGAINST; 556.55 NOT VOTING; and[02] ABSENT, pursuant to the powers vested in the Council by**  
11 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**  
12 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
13 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
14 **18, 1934 (48 Stat. 984).**

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17                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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20                   **Dennis Ramon, Legislative Chairman**

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22                   18<sup>th</sup> day of May, 20 01

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27 **ATTEST:**

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29                   **Julianna Saraficio, Acting Legislative Secretary**

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32                   11 day of May, 20 01.

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35 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
36 **Nation on the 18<sup>th</sup> day of May, 20 01 at 2:53 o'clock, P.M.,**  
37 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
38 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
39 **submittal.**

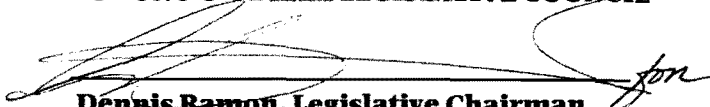
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Dennis Ramon, Legislative Chairman**

**APPROVED**


on the 22<sup>nd</sup> day of May, 20 01  
at 9:24 o'clock, A.M.

**DISAPPROVED**

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 22 day of

May, 20 01, at 12:09 o'clock, P.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION:** APPROPRIATING \$50,000 FROM THE BUDGET RESERVE TO THE LAW OFFICE OF WALTER NASH, III, P.C. TO REPRESENT GINA CELAYA IN HER PETITION FOR WRIT OF HABEAS CORPUS TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA AND ANY NECESSARY APPEAL TO THE UNITED STATES NINTH CIRCUIT COURT OF APPEALS

**MOVED:** COUNCILMAN TONY BURRELL

**SECOND:** COUNCILMAN DAVID GARCIA

**DATE:** MAY 11, 2001

| DISTRICT                    | LEGISLATIVE REPRESENTATIVES               | # OF VOTES     | FOR             | AGAINST      | NOT VOTING    | ABSENT      |
|-----------------------------|---|----------------|-----------------|--------------|---------------|-------------|
| <b>SIF OIDAK</b><br>171.8   | 1. MARY ANN ANTONE<br>(Darlene Andrew)    | 85.9           | X               |              |               |             |
|                             | 2. RITA MARTINEZ<br>(Nicholas Jose)       | 85.9           | X               |              |               |             |
| <b>SELLS</b><br>372.7       | 1. DENNIS E. JOSE<br>( )                  | 186.35         |                 |              | X             |             |
|                             | 2. EVELYN JUAN<br>( )                     | 186.35         |                 |              | X             |             |
| <b>SCHUK TOAK</b><br>133.4  | 1. MARY FLORES<br>( )                     | 66.7           |                 | X            |               |             |
|                             | 2. AMBROSE ENCINAS<br>( )                 | 66.7           | X               |              |               |             |
| <b>SAN XAVIER</b><br>165.9  | 1. TONY BURRELL<br>( )                    | 82.95          | X               |              |               |             |
|                             | 2. DENNIS RAMON<br>( )                    | 82.95          | X               |              |               |             |
| <b>BABOQUIVARI</b><br>286.5 | 1. FRANCES MIGUEL<br>( )                  | 143.25         |                 | X            |               |             |
|                             | 2. FRANCES G. ANTONE<br>(Edward N. Kisto) | 143.25         |                 | X            |               |             |
| <b>GU ACHI</b><br>209.6     | 1. CAMILLUS LOPEZ<br>( )                  | 104.8          | X               |              |               |             |
|                             | 2. ALEX J. RAMON<br>( )                   | 104.8          |                 |              | X             |             |
| <b>PISINEMO</b><br>156.8    | 1. BARBARA SALVICIO<br>(Alex Antone)      | 78.4           | X               |              |               |             |
|                             | 2. JOHNSON JOSE<br>( )                    | 78.4           | X               |              |               |             |
| <b>SAN LUCY</b><br>128.1    | 1. ALBERT MANUEL, JR.<br>( )              | 64.05          | X               |              |               |             |
|                             | 2. GLORIA RAMIREZ<br>( )                  | 64.05          | X               |              |               | X           |
| <b>GU VO</b><br>160.0       | 1. FERN SALCIDO<br>( )                    | 80.0           | X               |              |               |             |
|                             | 2. GLORIA MONTANA<br>(Phillip Antone)     | 80.0           | X               |              |               | X           |
| <b>HICKIWAN</b><br>158.1    | 1. SHIRLEY MOLINA<br>( )                  | 79.05          | X               |              |               |             |
|                             | 2. LLOYD FRANCISCO<br>(Susan Sam)         | 79.05          |                 |              | X             |             |
| <b>CHUKUT KUK</b><br>222.6  | 1. KENNETH WILLIAMS<br>( )                | 111.3          | X               |              |               |             |
|                             | 2. DAVID GARCIA<br>(Mary Audrey Juan)     | 111.3          | X               |              |               |             |
| <b>TOTAL</b>                |   | <b>2,165.5</b> | <b>1,255.75</b> | <b>353.2</b> | <b>556.55</b> | <b>[02]</b> |

\*\*PASSED VOTES