

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Granting Accused's Motion to Dismiss Pursuant to Rule 20)**

**LEGISLATIVE ORDER NO. 03-146**

1 **WHEREAS, on January 9, 2003, Delma Garcia and Sells District Chairman Norbert Manuel, who**  
2 **are registered voters of the Tohono O'odham Nation, filed an Accusation for Removal**  
3 **from Office ("Accusation") with the Legislative Council Judiciary Committee against**  
4 **Edward D. Manuel, the Chairman of the Tohono O'odham Nation, in accordance with**  
5 **the provisions of Section 2 of Article IX of the Uniform Election Ordinance; and**

6 **WHEREAS, in accordance with the Election Ordinance, the Judiciary Committee held a hearing**  
7 **and took evidence upon the Accusation and, by Judiciary Committee Resolution No.**  
8 **03-07, did determine and certify that there was reasonable cause to believe that**  
9 **Edward D. Manuel, the "Accused," had committed a removable offense as charged in**  
10 **the Accusation; and**

11 **WHEREAS, the Judiciary Committee did file the Resolution and the Accusation with the Secretary**  
12 **of the Legislative Council in accordance with the provisions of Section 2(C) of Article**  
13 **IX of the Uniform Election Ordinance; and**

14 **WHEREAS, on March 17, 2003, the Legislative Council convened for the purpose of trying the**  
15 **Accusation after providing notice to the Accusers and the Accused; and**

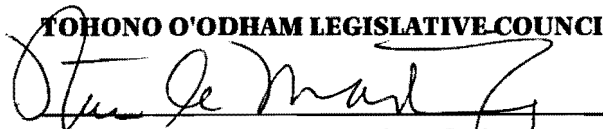
16 **WHEREAS, at the removal hearing the Accused filed a Motion to Dismiss Pursuant to Rule 20; and**

17 **WHEREAS, the Accused and Accusers presented their arguments on the motion.**

18 **NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that the Accused's**  
19 **Motion to Dismiss Pursuant to Rule 20 is granted and the Accusation is hereby**  
20 **dismissed.**

21 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 17<sup>TH</sup> Day of**  
22 **MARCH, 2003 at a meeting at which a quorum was present with a vote of 1,565.55 FOR; 851.95**  
23 **AGAINST; and [01] ABSENT, pursuant to the powers vested in the Council by Article XIII, Section**  
24 **1; Article VI, Section 1(g) and (l) of the Constitution of the Tohono O'Odham Nation, adopted by the**  
25 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
26 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
27 **18, 1934 (48 Stat. 984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
\_\_\_\_\_  
Rita A. Martinez, Legislative Chairwoman

34 **ATTEST:**

35   
36 \_\_\_\_\_  
37 **Julianna Saraficio, Acting Legislative Secretary**

ACTION: GRANTING ACCUSED'S MOTION TO DISMISS PURSUANT TO RULE 20

DATE: MARCH 17, 2003

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	ABSENT	
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05		X		
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. JEROME JOAQUIN ( )	115.35	X			
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65		X		
	2. SANDRA ORTEGA ( )	83.65		X		
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X		X	
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>SAN XAVIER</b> 184.7	1. FELICIA NUÑEZ ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25		X		
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05		X		
	2. EVELYN JUAN ( )	208.05		X		
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ (Nicholas Jose)	92.35	X			
	2. RITA MARTINEZ ( )	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,565.55</b>	<b>851.95</b>	<b>[01]</b>	