

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Ruling on Motion to Challenge the Sufficiency of the Accusations and Request to
Dismiss the Accusations Regarding the Removal from Office Filed Against the
Vice-Chairwoman of Gu Vo District Angelita Castillo)**

LEGISLATIVE ORDER NO. 16-479

1 **WHEREAS,** the Legislative Council is constitutionally vested with “all of the legislative powers
2 vested in the Tohono O’odham Nation” and is exclusively vested with the authority
3 to conduct removal upon accusation proceedings when a Nation’s elected officer
4 or judge is accused of committing a removable offense (Constitution of the
5 Tohono O’odham Nation, Article VI, Section 1 and Article XIII, Section 1; 12
6 Tohono O’odham Code Chapter 1, Article X, Section 11002); and

7 **WHEREAS,** pursuant to 12 Tohono O’odham Code Chapter 1, Section 11002 removal upon
8 accusation proceedings are commenced “by the filing with the chairperson of the
9 Legislative Council Judiciary Committee a written, notarized statement stating
10 the offense(s) charged against the accused in ordinary and concise language and
11 signed by a registered voter or voters of the Nation.”; and

12 **WHEREAS,** August 11, 2016, registered voter Michael Flores (the “Accuser”) filed with the
13 chairperson of the Legislative Council a written, notarized statement for removal
14 from office (“Accusation”) against Gu Vo District Officials Chairman Rodrick
15 Manuel and Vice-Chairwoman Angelita Castillo (the “Accused”) alleging the
16 Accused committed removable offenses; and

17 **WHEREAS,** pursuant to 12 Tohono O’odham Code Chapter 1, Section 11002(C), the Judiciary
18 Committee conducted a reasonable cause hearing, dismissed accusation count 3,
19 and found reasonable cause to believe that the Accused had committed the
20 remaining removable offenses as charged in the accusation, and filed the
21 accusation and copies of the resolutions supporting its determinations with the
22 Council secretary; and

23 **WHEREAS,** on September 14, 2016 the Legislative Council by Legislative Order No. 16-454
24 adopted Removal Hearing Procedures and set a removal hearing on the
25 Accusation for September 27-28, 2016; and

26 **WHEREAS,** advocates for the Accused were personally served on September 15, 2016, more
27 than ten days before the removal hearing, with a written removal hearing notice,
28 a copy of the Accusation and attachments, and the Tohono O’odham Legislative
29 Council Removal Hearing Procedures; and

30 **WHEREAS,** on September 22, 2016, Accused official Vice-Chairwoman Angelita Castillo filed
31 a Motion to Challenge the Sufficiency of the Accusations and Request to Dismiss

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(Ruling on Motion to Challenge the Sufficiency of the Accusations and Request to Dismiss the Accusations Regarding the Removal from Office Filed Against the Vice-Chairwoman of Gu Vo District Angelita Castillo)

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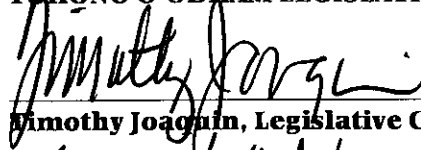
the Accusations Regarding the Removal from Office Filed Against the Vice-Chairwoman of Gu Vo District Angelita Castillo; and

WHEREAS, the Tohono O'odham Legislative Council has reviewed and considered the Accused's written motion.

NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it grants in part and denies in part the Accused's Motion to Challenge the Sufficiency of the Accusations and Request to Dismiss the Accusations Regarding the Removal from Office Filed Against the Vice-Chairwoman of Gu Vo District Angelita Castillo and dismisses the following offenses alleged in the Accusation against Vice-Chairwoman Castillo: Count 1, Moral Turpitude, Count 2, Neglect of Duty, a., b., and f.

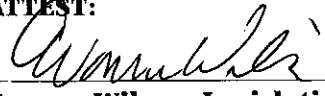
The foregoing Order was passed by the Tohono O'odham Legislative Council on the 27TH day of SEPTEMBER, 2016 at a meeting at which a quorum was present with a vote of 1,943.25 FOR; 1,078.15 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 and Article XIII, Section 1 of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
1 day of October, 2016

ATTEST:



Evonne Wilson, Legislative Secretary
29 day of September, 2016

ACTION: RULING ON MOTION TO CHALLENGE THE SUFFICIENCY OF THE ACCUSATIONS AND REQUEST TO DISMISS THE ACCUSATIONS REGARDING THE REMOVAL FROM OFFICE FILED AGAINST THE VICE-CHAIRWOMAN OF GU VO DISTRICT ANGELITA CASTILLO

DATE: SEPTEMBER 27, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta E. Harvey) (<i>Present</i>)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (<i>Absent</i>) (Marlakay Henry) (<i>Present</i>)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05		X		
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95		X		
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25		X		
	2. JANA MONTANA (<i>Absent</i>) (Gloria Ramirez) (<i>Present</i>)	113.25		X		X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30		X		X
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30		X		
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30		X		
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75		X		
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	1,943.25	1,078.15	-0-	[02]