

NOV 15 2019

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**LUMMI TRIBAL COURT
LUMMI NATION**

LUMMI NATION,
Plaintiff,
vs.
BRANDON LUMBERT,
DOB:5/26/197
Defendant

Case No.: 2009 CVEX 1648

AMENDED
CONTINGENT ORDER OF EXCLUSION

[x] Clerk's Action Required

THIS MATTER having come before the undersigned judge after review by the Exclusion Community Panel and they make recommendations to this Court:

IT IS HEREBY ORDERED that the defendant is excluded from all areas within the exterior boundaries of the Lummi Reservation, EXCEPT THAT the defendant may continue to remain within the reservation if he complies with the following requirements pursuant to LCL§ 12.06.040:

- 1) Must report at least one time a month to the Lummi Probation Officer or more frequently as directed by the probation officer;
- 2) May not be convicted of any new violent criminal or any new criminal offense for which the maximum jail sentence would be more than 365 days;
- 2) May not be knowingly present where drugs are being illegally sold or used;
- 3) Must be employed, actively seeking employment, performing full-time child-care, attending school, participating in vocational training;
- 4) Must abstain from alcohol and non-prescribed drugs; must submit to random urine analysis and portable breath test(s) on a schedule determined by the probation officer, and must submit to a portable breath test by a police officer who has a reasonable basis to believe the defendant has consumed alcohol;
- 5) Must complete an evaluation with Lummi Behavioral health and comply with all treatment recommendations
- 6) Must participate in family support counseling and follow any treatment recommendations
- 7) Must complete a substance abuse evaluation and follow all treatment recommendations/ The respondent shall seek substance abuse support from John Jefferson, Willie Lane, and/or Victor Solomon.
- 8) Must complete an anger management evaluation and follow all treatment recommendations

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9) Must perform 60 hours of Community Work Service a year. Meetings with John Jefferson, Willie Lane, and Victor Solomon will count towards community service. Probation will assist the respondent by identifying potential community service opportunities.

10) Refrain from attending events with drugs and alcohol

11) Participate in culturally appropriate recovery programs, including Lummi language and the Lummi Art room ; and

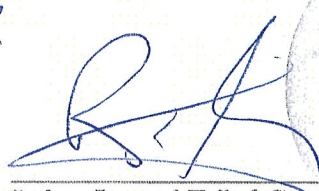
12) Must meet every four months with the Community Panel for review of his progress.

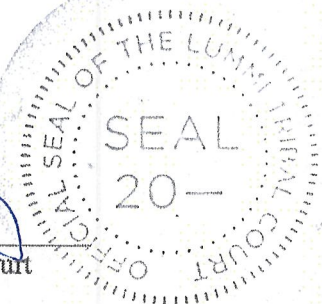
Once the defendant has complied with these conditions for three years, he may petition the Community Panel to lift Contingent Exclusion Order using the procedure in LCL §12.07.02. The Court may issue an order in accordance of LCL§12.06.060 to extend or revoke this order Probation shall file a closure order if this order expires and no pending petitions to revoke or extend are before the court.

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE RESPONDENT BEING CHARGED WITH VIOLATION OF A EXCLUSION ORDER UNDER LCL §05.07.075 AND/OR A PETITION FOR REVOCATION TO BE FILED USING THE PROCEDURE IN LCL §12.06.060.

To the Chief of the Lummi Nation Police Chief: This Order is now in effect and supersedes any previous order of Exclusion issued by this Court under this cause number.

Dated this 14 day of Nov., 2019.

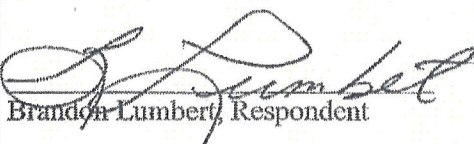

Judge, Lummi Tribal Court



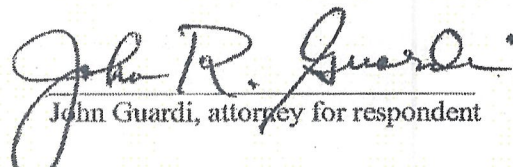
Presented by:


Tribal Prosecutor

Acknowledged by:


Brandon Lumbert, Respondent

Agreed to form :


John Guardi, attorney for respondent

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