

**COURT OF APPEALS**

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Dr. Ravinder Vir,  
Appellant,

Case No. 18-AC-002

v.

Date: March 28, 2018

Dustin Fish,  
Respondent.

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**INITIAL REVIEW DECISION**

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This matter has come before Chief Appellate Judge Gerald L. Hill, and Appellate Judges Leland Wigg-Ninham and Susan G. Daniels.

The Appellant, Dr. Ravinder Vir (hereinafter “Vir”), filed a Notice of Appeal with this Court on March 9, 2018. After review of the information contained in Notice of Appeal and the February 9, 2018 decision of the Oneida Personnel Commission, it is determined that per Rules of Appellate Procedure, §805.5-2(c)(3), Vir has sufficiently alleged the decision:

1. Violates provisions, substantive or procedural, of applicable Tribal law or applicable federal law;
2. Is an administrative decision that is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with applicable law;
3. Is not supported by the substantial evidence on the record taken as a whole.

Based upon the above, this appeal is ACCEPTED for review.

**TO THE ONEIDA PERSONNEL COMMISSION:** As the original hearing body in the above-captioned case, Notice is hereby given that the Oneida Judiciary, Court of Appeals, has

taken jurisdiction of this case and requires the hearing record as set forth in §805.8-4(a), “The record of the case shall consist of all papers filed with the Tribal Court or original hearing body, exhibits, a transcript or audio recording of the proceedings, and the final decision of the Trial Court or original hearing body.” The record shall be filed with the Court of Appeals within thirty (30) calendar days upon receipt of this notice.

By authority vested in the Oneida Judiciary, Court of Appeals, in Oneida General Tribal Council Resolutions 01-07-13-B and 03-19-17-A, the appeal is **ACCEPTED** for review this 28<sup>th</sup> day of March 2018, in the matter of Case No. 18-AC-002, *Dr. Ravinder Vir v. Dustin Fish*.

***It is so ordered.***