

**COURT OF APPEALS**

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Howard K. Elm,  
Appellant,

Case No. 17-AC-003

v.

July 20, 2017

Cherice Santiago,  
Respondent.

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**DISMISSAL ORDER**

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Reviewing Appellate Judges: Diane House, Sharon House, and Chad Hendricks

**BACKGROUND**

On June 13, 2017, the Court of Appeals, on its own motion pursuant to Chapter 805 of the Rules of Appellate Procedure §805.4-2, took judicial notice of the parties' request for Peacemaking; and ordered a stay of this proceeding in the Court of Appeals, pending an outcome from the peacekeeping process in the Trial Court. In addition, the parties were to provide the Court of Appeals a progress report on the peacekeeping process in thirty (30) days from issuance of the order to stay proceedings.

On July 7, 2017, the Appellant Howard K. Elm filed a Motion for a Voluntary Dismissal pursuant to Chapter 805 of the Rules of Appellate Procedure §805.10-5, requesting dismissal of this appeal as the parties have reached a settlement in this matter. The Respondent Cherise Santiago is in support of the voluntary dismissal of this case with prejudice.

**ORDER**

Pursuant to Chapter 805 of the Rules of Appellate Procedure §805.13-1 (b)(4), this Court hereby lifts the Stay of Proceeding that was issued on June 13, 2017, and hereby directs the entry of a dismissal order in this case, with said dismissal being granted with prejudice.

By the authority vested in the Oneida Judiciary, Court of Appeals, in Oneida General Tribal Council Resolutions 01-07-13-B and 03-19-17-A, this case is hereby dismissed with prejudice this 20th day of July, 2017, in the matter of Case No. 17-AC-003, *Howard K. Elm v. Cherise Santiago*.

*It is so ordered.*