
**ONEIDA JUDICIARY
TRIAL COURT**

**Oneida Nation,
Division of Land Management,
Petitioner**

v.

Case No: 17-TC-054

**Brent and Elizabeth Longlais,
Respondents**

JUDGMENT OF FORECLOSURE - CORRECTION

This case has come before the Oneida Trial Court, Honorable Layatalati Hill presiding.

BACKGROUND

A complaint was filed by the Petitioner on September 25, 2017. A hearing was scheduled for October 31, 2017 at 9:00am. The Petitioner filed a motion to reschedule on October 4, 2017. The Court granted the request and rescheduled the hearing for November 1, 2017 at 10:00 a.m. A hearing was held and a decision rendered on November 1, 2017. On November 13, 2017 the Petitioner motioned for relief from judgment.

FINDING OF FACTS

1. The amount of the mortgage debt due in the November 1, 2017 decision was \$120,971.79.
2. The amount of the judgement was mistakenly and inadvertently based upon Petitioner's accounting ledger, which calculates deficient payments, but fails to account for accrued interest and penalty fees when calculating the total current balance of the loan.
3. Petitioner discovered the erroneous use of the accounting ledger after receipt of the Judgment of Foreclosure.
4. The correct total loan balance owed to Petitioner by Respondents as of the date of the Judgment of Foreclosure is \$127,482.39.

ANALYSIS

On a party's motion filed no later than 28 days after the entry of judgment, the Court may amend its findings or make additional findings and may amend the judgment accordingly. (see 803.27-2). The Petitioner filed a motion within 28 days of the entry of judgment to amend the findings and judgment. Therefore, the Petitioner has met the requirements to amend the findings and entry of judgment.

ORDER

The Court grants the relief sought by the Petitioner to increase the total amount of the judgment owed to Petitioner by Respondents from \$120,971.79 to \$127,482.39.

The parties have the right to appeal within thirty (30) calendar days after the date this order or judgment becomes final.

IT IS SO ORDERED.

By the authority vested in the Oneida Trial Court pursuant to Resolution 01-07-13-B of the General Tribal Council an order signed on November 22, 2017 in the matter of *Division of Land Management v Brent and Elizabeth Longlais*. Case #17-TC-054.