

COURT OF APPEALS

Anita F. Barber,

Appellant,

Case No. 18-AC-001

v.

Date: February 21, 2018

George Skenandore,

Respondent.

INITIAL REVIEW DECISION

This matter has come before *Pro Tempore* Appellate Judge Chad Hendricks, and Appellate Judges Sharon House and Susan G. Daniels.

The Appellant, Anita Barber (hereinafter "Barber"), filed a Notice of Appeal with this Court on January 23, 2018. After review of the information contained in Notice of Appeal and the December 29, 2017 decision of the Oneida Personnel Commission, it is determined that per Rules of Appellate Procedure §805.5-2(c)(3), Barber 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 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, the appeal is **ACCEPTED** for review this 21st day of February 2018, in the matter of Case No. 18-AC-001, *Anita F. Barber v. George Skenandore*.

It is so ordered.