

ONEIDA JUDICIARY

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TRIAL COURT

Sheila M. Ness
Petitioner,

v.

CASE NO: 18-TC-006

Allen J. Clark,
Respondent,

ORDER

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

Background

A small claims complaint was filed on February 14, 2018. A hearing was held on March 19, 2018. The Respondent did not appear. Personal jurisdiction over the Respondent was not addressed in the complaint or at the hearing by the Petitioner. An Order was issued on March 19, 2018 for the parties to submit briefs on how the Court has personal jurisdiction over the Respondent. The deadline for submitting briefs was April 2, 2018. Neither party submitted a brief.

Findings

1. An Order was issued to the parties to explain how the Court has personal jurisdiction over the Respondent.
2. Personal jurisdiction over the Respondent was not established by the Petitioner within the time permitted by the Court.
3. The Court cannot go forward without a showing of personal jurisdiction over the Respondent.

Order

1. This case is dismissed, without prejudice, for failure to make a showing of personal jurisdiction over the Respondent.

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 April 4, 2018 in the matter of Sheila M. Ness v Allen J. Clark. Case #18-TC-006.