

**ONEIDA JUDICIARY**  
**Tsi nu téshakotiya?tolétha?**

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**TRIAL COURT**

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**ONEIDA NATION,  
Oneida Police Department  
Petitioner**

**v.**

**Cases No: 18-CT-008**

**Misty D. Cannon,  
Defendant**

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**ORDER**

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This case has come before the Oneida Trial Court, Honorable John Powless III presiding.  
*Appearing in person:* Petitioner's Attorney, Kelly McAndrews, and Defendant, Misty Cannon.

**STATEMENT OF THE CASE**

Petitioner filed an Oneida Nation Citation on June 1, 2018, for Damage Caused by Animal pursuant to section 304.11-1 of the Domestic Animal Ordinance. On June 18, 2018, Petitioner motioned to dismiss the citation as an additional citation was issued for Harboring a Dangerous Animal pursuant to section 304.10 of the Domestic Animal Ordinance. The second citation was the result of an incident on May 2, 2018, which led to a Declaration of Dangerousness. On May 23, 2018, Defendant was also cited for Animal Running At Large pursuant to section 304.6-4 of the Domestic Animal Ordinance. The Court set a hearing date for September 21, 2018.

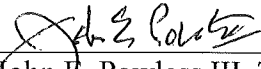
**FINDING OF FACTS**

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. Notice was given to all those entitled to notice.
3. On June 7, 2018, the Oneida Police Department filed citations for violations of 3 O.C. 304.10 (1) or (2) and 304.6-4.
4. The citations required appearance in Court by the Defendant.
5. For administrative efficiency, Case No. 18-CT-008 and 18-CT-009 was consolidated into one case.
6. On September 21, 2018, the parties submitted a Stipulation and Agreement to the Court.

**ORDER**

1. For administrative efficiency, the Court orders that Case No. 18-CT-009 be consolidated into Case No. 18-CT-008. Upon transfer of all papers and documents Case No. 18-CT-009 shall be closed.
2. The Court approves the Stipulation and Agreement, a copy of which is attached.

Dated this 21<sup>st</sup> day of September 2018.

  
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John E. Powless III, Trial Court Judge

**ONEIDA JUDICIARY**  
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Oneida Nation;  
Oneida Police Department; or  
Oneida Conservation Department,  
PETITIONER,

CASE NO: 18-CT-008/009

v.  
Misty D. Cannon,  
DEFENDANT

STIPULATION AND AGREEMENT

I, the above named Defendant, offers this stipulation and agreement as follows:

- 1.) I am subject to the jurisdiction of the Oneida Nation.
- 2.) I received proper notice of the above entitled action.
- 3.) I ADMIT to the following violations of law and agree to the following penalties:

Offense	Date	Fine/ Forfeiture Amount	Penalty/ Assessment	Payment Plan
Harboring a Dangerous Animal 304.10(1) or (2)	5/2/18 ML (Kimm)	<del>None</del> \$0 fine \$0 court costs	Animal Euthanized + Restitution	
			Total Amount: \$3,020.90	
			payments: \$350 per month	
			Starting October 5, 2018	
			\$500 from 2018 percup	
Animal Running at Large	5/23/18	—	Dismissed	—

- 4.) I request the Oneida Judiciary Trial Court enter a Final Judgment regarding the above admission.

5.) I understand that the above fine/ forfeiture constitutes debt owed to a tribal entity and nonpayment is subject to Tribal remedy.

Misty Cameron  
Defendant

9-21-18  
Date

I, agent or Prosecuting Attorney for the above Petitioner, agree that the above Stipulation and Agreement, as signed by Defendant, accurately represents the Petitioner's Agreement with Defendant. I request the Oneida Judiciary Trial Court issue a Final Judgment on this matter.

Notes: \_\_\_\_\_

[Signature]  
Petitioner's Agent/ Attorney

9/21/19  
Date

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**ORDER AND FINAL JUDGMENT**

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FINDINGS OF FACT


- 1.) Defendant is subject to the Jurisdiction of the Oneida Nation.
- 2.) Defendant was properly served notice of this action.
- 3.) Defendant admits to the above violations of law and agrees to the above penalties.
- 4.) Defendant admits the above fine/ forfeiture constitutes debt owed to a tribal entity and nonpayment is subject to Tribal remedy.

ORDER

- 1.) Defendant has entered the above admissions and plea(s), which are accepted by this Court.
- 2.) The stipulation is approved and an ORDER AND FINAL JUDGMENT is entered by this Court requiring any fine/ forfeiture be paid in accord with the above terms. Failure to pay in accord with the above terms is subject to Tribal law and remedy.

IT IS SO ORDERED.

DATED THIS 01 DAY OF September, 2018

  
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Hon.  
Trial Court Judge