
TRIAL COURT

**Oneida Nation / Oneida Police Department,
Petitioner**

v.

Case No: 18-CT-013

**Gary L. Schuyler,
Defendant**

ORDER

This case has come before the Oneida Trial Court, Honorable John E. Powless III presiding.

Background

On September 6, 2018, Defendant was issued citations for Animal Running At Large and Nuisance Animal pursuant to 3 O.C. 304.6-4. The Animal Running At Large citation does not require a mandatory appearance in court. The Nuisance Animal citation required a mandatory appearance in court. On October 18, 2018, a pre-trial hearing was held. A final hearing is scheduled for December 18, 2018. On December 17, 2018, the parties filed a Stipulation and Agreement with the Court.

Findings of Fact

The Court finds as follows:

1. The Court has subject matter and personal jurisdiction over this matter.
2. On September 6, 2018, the Oneida Police Department cited the Defendant with two (2) Animal Running At Large citations and a Nuisance Animal citation in accordance with 3 O.C. 304.6-4.
3. The parties filed a Stipulation and Agreement with the Court on December 17, 2018.
The Court agrees to the parties Stipulation and Agreement with the Courts amendments.

Analysis

The parties Stipulation and Agreement identify two (2) court cost fees of \$25.00 for the second and third offenses. Even though 18-CT-013 involved multiple citations, the Court views the citations as one filing, therefore, resulting in one court cost.

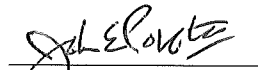
Order

1. The Court accepts the agreement of the parties with the court's amendments:
 - a. 2nd Offense – Dog at Large, 304.6-4, no court costs,
 - b. 3rd Offense - Nuisance Dog, 304.6-4, \$50.00 fine, \$25.00 court costs,

2. The Court orders Defendant to pay **\$75.00** to the Judiciary on or before **March 4, 2019**.
3. The Court removes the final hearing from the court calendar.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council an Order was signed on December 17, 2018. Case 18-CT-013.



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,

v.

CASE NO: 18 CT 013

Gary L. Schuyler,
DEFENDANT

STIPULATION AND AGREEMENT

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

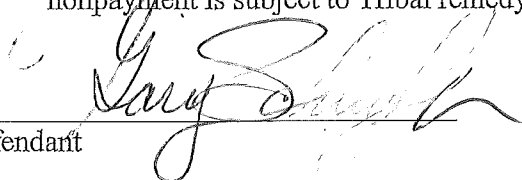
- 1.) I am subject to the jurisdiction of the Oneida Nation.
- 2.) I received proper notice of the above entitled action.
- 3.) I ADMIT to the following violations of law and agree to the following penalties:

#1
#2
#3

Offense	Date	Fine/ Forfeiture Amount	Penalty/ Assessment	Payment Plan
Dog at Large 304.6-4 ("Large Dog")	09/06/18	Dismissed - \$0 (does not have such a dog)	\$0	N/A
Dog at Large - 1st 304.6-4 ("Small white + brown dog")	09/06/18	\$0 fine \$25 court cost //	n/a total \$25	total of \$100 Due payable to the Oneida Judiciary no later than March 4, 2019
Nuisance Dog - 1st 304.6-4 ("Great Dane")	09/06/18	\$50 fine \$25 court cost //	n/a total \$75	
Fine Totals		\$50 fine \$50 court costs		
		\$100.00		

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

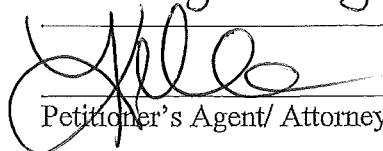
5.) I understand that the above fine/ forfeiture constitutes debt owed to a tribal entity and nonpayment is subject to Tribal remedy.


Defendant

Dec 14, 2018
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: *Owner of Great Dane states dog has passed away. Agreement concerning that dog based on that fact/representation.


Petitioner's Agent/ Attorney

12/14/18
Date

ORDER AND FINAL JUDGMENT

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.