

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Oneida Nation / Oneida Police Department,
PETITIONER,

v.

CASE NO: 18-CT-016

Jordan J. John,
DEFENDANT

ORDER

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

Appearing in person: Attorney Kelly McAndrews for the Petitioner: Oneida Nation/Oneida Police Department.

Not appearing in person: Defendant, Jordan John.

BACKGROUND

A citation was issued to the Defendant on October 7, 2018 for violating Oneida Code of Laws section 304.6-4, animal running at large. The citation was filed on October 22, 2018. A hearing was scheduled for November 15, 2018 at 9:00 a.m. On November 15, 2018, a hearing was held.

FINDING OF FACTS

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. The Defendant received proper notice.
3. The Defendant was not required to appear.
4. The Defendant did not appear at the hearing on November 15, 2018.

PRINCIPLES OF LAW

Oneida Code of Laws Title 3. Health and Public Safety - Chapter 304 Domestic Animals:

Section 304.6-4. Dogs and Cats Running at Large. It is unlawful for any dog or cat owner to permit the animal to be at any place except upon the premises of the owner, unless it is crated, penned, or on a leash under the control of a person physically able to control the animal.

Oneida Nation Citation Notice:

If you do nothing, the Court may enter a default judgement which may include, but is not limited to, any fine amount that is due, restitution and/or suspension of any rights, privileges or licensures with the Oneida Nation.

ANALYSIS

The Defendant was cited for having a loose dog in violation of section 304.6-4. The Defendant is not required to appear for such a violation, however, failure to do so may result in a default judgment. Here, the Defendant did not appear and/or defend against the citation. Therefore, the Court will order a default judgment as described below.

ORDER

A default judgment is entered in favor of the Petitioner and against the Defendant in the amount as follows:

Fine:	\$150.00
Court Costs:	<u>\$25.00</u>
Total owed by Defendant:	\$175.00

The Total amount due is payable to the Oneida Judiciary **within 60 (sixty) days** from the date this Order is signed. Failure to pay is subject to the Nation's laws and remedies.

The parties have the right to appeal within thirty (30) calendar days after the date this order or judgement is signed.

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 November 15, 2018.



Layatalati Hill, Trial Court Judge