

Oneida Tribal Judicial System

Onʌyote ʔ aka Tsiʔ Shakotiyaʔ Tolé hte

TRIAL COURT

Oneida Tribe,
Accounting Department,
Petitioner,

Docket #: 12-TC-121

v.

Cathy Metoxen,
Respondent

DECISION

This case has come before the Oneida Tribal Judicial System, Trial Court, Judicial Officers, Mary Adams, Sandra L. Skenadore, and Jean M. Webster, presiding.

This is a request for a money judgment.

Background

Procedural History

Petitioner filed an original complaint at the Oneida Tribal Judicial System on August 2, 2012. The complaint contained a list of several tribal employees and tribal members including Respondent that allegedly owe outstanding tribal debt. The summons was mailed to Respondent on August 24, 2012, which included the hearing date of September 18, 2012 at 9:00 a.m.

At the September 18th trial, both Respondent and Petitioner appeared. Respondent requested a hearing to dispute charges. Both Petitioner and Respondent agreed to schedule the next date to November 13, 2012. Respondent signed for her certified mailing on October 23, 2012.

At the November 13th hearing, Respondent claimed she had twenty days to file an answer to the complaint. Given that the original complaint was filed on August 2, 2012 and the original summons dated August 24, 2012, Respondent's time for answering the complaint has long passed. Respondent did not request a delay and the hearing went forward.

Findings of Fact

1. Respondent, Cathy Metoxen, received services from Anna John Nursing Home (AJNH). The AJNH is owned and operated by the Oneida Tribe of Indians of Wisconsin and is located on the Oneida Reservation.
2. The AJNH provides long-term rehabilitation, case management, skilled nursing care, and on-site physical therapy.
3. The complaint does not specify what services Ms. Metoxen received.
4. Ms. Metoxen received services between February 23, 2012 and April 5, 2012. The total amount being charged by AJNH is not stated. However, Ms. Metoxen owes AJNH \$8,678.70 for services rendered to her. That amount is due and owing to the AJNH. Ms. Metoxen does not deny that she received the services and that this amount remains unpaid.
5. The AJNH sent letters seeking payment on April 16 and May 16, 2012.
6. A third and final letter was sent by Oneida Central Accounting on June 27, 2012, which included a \$15.00 collection fee.
7. As of the date of the hearing, the balance owed remained unpaid.

Conclusions of Law

At the November 13th hearing, Petitioner proved its claim. Respondent did not contest or dispute the evidence against her. Petitioner motioned the Court to grant the request for a money judgment against Respondent. The Court agreed and granted Petitioner's motion for judgment in the amount of \$8,678.70. The Court grants Petitioner's motion for a money judgment against Respondent for the amount of \$8,678.70. Judgment shall be entered accordingly. It is so ordered.