

Oneida Appeals Commission

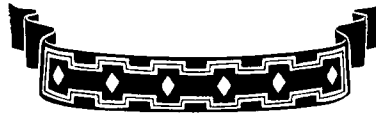
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Trial Court

Oneida Police Commission,
Petitioner

Docket No. 07-TC-015

v.

Date: April 10, 2007

Brenda M. Buckley,
Respondent

Decision

This case is now before the Oneida Tribal Judicial System, Trial Court. Judicial Officers: Mary Adams, Gerald Cornelius and Leland Wigg-Ninham presiding.

I History

On February 13, 2007, Petitioner, Oneida Police Commission, filed a Motion for Order to Show Cause against Respondent, Brenda M. Buckley, for failing to appear before the Oneida Police Commission on December 19, 2006 hearing after being subpoenaed.

On February 28, 2007 Respondent filed a Motion to Dismiss Petitioner's Motion for Order to Show Cause alleging: 1) the Oneida Appeals Commission does not have the authority to enforce Petitioner's rules; 2) this is a moot issue because Petitioner has rendered their decision in this case; and 3) notification that she was not able to attend hearing was given.

On April 5, 2007 Petitioner filed a Response to Motion to Dismiss asserting Respondent was served with a subpoena and failed to contact the Police Commission within a reasonable time to

show good cause for her failure to appear.

A motions hearing was scheduled for April 6, 2007.

II Analysis

At the April 6th hearing, a settlement to resolve this issue was reached. Both parties agreed upon a Motion to Dismiss.

III Decision

Motion to Dismiss is granted. This case is closed.