

Oneida Appeals Commission

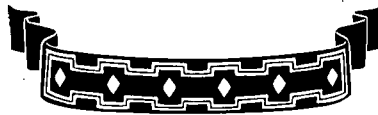
Onlayote ? a-ka Tsi? Shakotiya? Tolé hte

Phone: 920-497-5800

Fax: 920-497-5805

Post Office Box 19

Oneida, WI 54155



Trial Court

Division of Land Management,

Petitioner

Docket No. 07-TC-027

vs.

Date: April 17, 2007

Deborah Evans,

Respondent

Motion To Dismiss

The Petitioner has submitted a Motion To Dismiss, to the Oneida Appeals Commission Trial Court, Judicial Officer's Leland Wigg-Ninham, Mary Adams and Gerald Cornelius presiding.

I Background

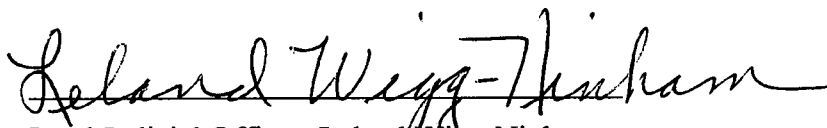
This is a foreclosure action by the Division of Land Management, against the Respondent, Deborah Evans, who is delinquent in her mortgage agreement. On March 16, 2007, a Pre-trial Hearing was conducted and as a result of that Pre-trial, the Petitioner, Division of Land Management, made a motion to stay the proceedings for thirty (30) days in order to provide the Respondent an opportunity to cure the delinquency. The motion was granted and a hearing was held on April 17, 2007. The Petitioner made a motion to dismiss the original foreclosure action.

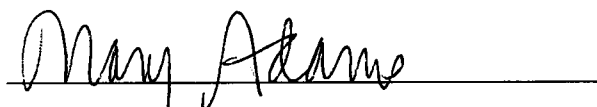
II. Decision

Under the Judicial Code of Rules of Civil Procedure; *Rule 14, A. 1. A party may move the trial court to dismiss the parties claim and the trial court shall do so with, or without prejudice as is just and proper given the stage of the proceedings.* The motion to dismiss without prejudice is granted.

It is so ordered.

By the authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91-A, by the Oneida General Tribal Council, it is so held on this the 17th day of April, 2007, in the matter of the Division of Land Management vs. Deborah Evans, Docket No. 07-TC-027.


Lead Judicial Officer, Leland Wigg-Ninham


Judicial Officer, Mary Adams


Judicial Officer, Gerald Cornelius