

Oneida Tribal Judicial System

Onlayote ʔ a-ka Tsiʔ Shakotiyaʔ Tolé hte

ONEIDA TRIBAL JUDICIAL SYSTEM TRIAL COURT

**Rendell Miller,
Petitioner**

Docket No: 08-TC-080

v.

Date: August 1, 2008

**Oneida Housing Authority,
Respondent**

Dismissal

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

I Background

On July 2, 2008 Petitioner, Rendell Miller, filed a Notice of Appeal with the Trial Court as a complaint. Petitioner argues two issues, short-term disability and a February 2008 return-to-work release form.

On July 3, 2008 a summons for a pre-trial hearing was scheduled for August 5, 2008.

On July 31, 2008 Petitioner filed a Motion to Dismiss in order to file this case before the Oneida Personnel Commission in accordance with BC Resolutions 07-18-08, 06-30-08 and, 06-30-08-B which directs that employees of OHA shall be subject to the grievance and complaint procedures of the Oneida Tribe's Personnel Policies and Procedure. Petitioner requests this action does not waive his right to request a hearing, in this matter, before this tribunal if necessary.

This court grants Petitioner's Motion to Dismiss in accordance with Rules of Civil Procedure, Rule 14(A)(1).

II Decision

This case is hereby dismissed without prejudice.