

# Oneida Appeals Commission

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## Trial Court

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Division of Land Management,

Petitioner

Docket No. 04-TC-001

vs.

Jean Webster,

Respondent

Date: March 24, 2004

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### Motion to Dismiss

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This case has come before the Oneida Appeals Commission. Judicial Officers, Mary Adams, Winnifred Thomas and Marjorie Stevens, presiding.

#### I Background

This is a foreclosure complaint filed by the Petitioner, Division of Land Management, on February 6, 2004. The Respondent, Jean Webster, entered into a Dream Loan Agreement on December 15, 1994 with the Division of Land Management for the residential property located at 3029 Freedom Road, Oneida, Wisconsin. The Petitioner claims the Respondent is delinquent with her payments as of January 26, 2004, in the amount of \$1,150.60.

On March 23, 2004 the Petitioner filed a Motion to Dismiss because the parties have reached an agreement. A hearing has been scheduled for March 25, 2004 at 9:00 a.m. According to Rules of Civil Procedure, Rule 4, the motion was filed within the time lines and therefore accepted by the Oneida Appeals Commission.<sup>1</sup> The hearing is canceled.

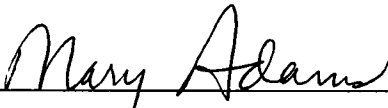
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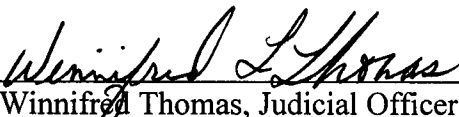
<sup>1</sup>. Rule 4(f). Exception to Computation: Whenever in these rules or elsewhere, a party is required to submit some paper to the trial court prior to a scheduled event such as a hearing and that submission date falls on a Saturday, Sunday or legal holiday, two days *before* the original due...

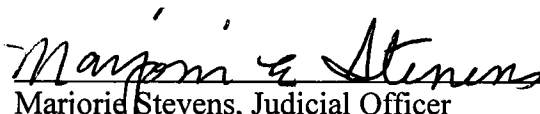
## II Decision

The court grants the motion to dismiss. This case is dismissed without prejudice.

By authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91-A, by the Oneida General Tribal Council, it is held on this 24<sup>th</sup> day of March 2004, in the matter of Division of Land Management vs. Jean Webster, Docket No. 04-TC-001.

  
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Mary Adams, Lead Judicial Officer

  
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Winnifred Thomas, Judicial Officer

  
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Marjorie Stevens, Judicial Officer