

Oneida Appeals Commission

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Trial Court

Noreen Smith,

Petitioner

Docket No. 04-TC-095

vs.

Jack Fleming, Crawford Insurance,
Arlene L. Danforth, HRD Employee Insurance
Respondent

Date: January 10, 2005

Order

This Petition has come before the Oneida Appeals Commission Trial Court.
Lead Judicial Officer Leland Wigg-Ninham, presiding.

Background

This is a Petition from Ms. Smith the Petitioner. The Petitioner had submitted a claim against Crawford Insurance on December 6, 2004 with the Oneida Appeals Commission.

Analysis

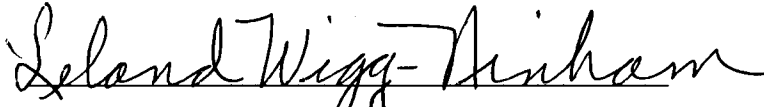
The Petitioner, Ms. Smith, has notified the court by a written letter and received by the court on January 10, 2005, stating that she has decided to discontinue her claim against the Respondent. After review of the document, this court will grant her request. Under the Oneida Appeals Commission's Rules of Civil Procedure: Rule 14, Dismissal of Actions, (A) Voluntary Dismissal:

Prior to the responsive pleadings by the party against whom a claim has been made or a motion to dismiss or for summary judgement on such claim, the party making the claim may file a notice of dismissal and that claim shall be deemed dismissed without prejudice.

Decision

The Petitioner's request is granted. This case is dismissed without prejudice.

It is so ordered on this 10th day of January 2005


Leland Wigg-Ninham, Lead Judicial Officer