

Oneida Appeals Commission

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Trial Court

Theresa Krueger
Petitioner

Docket # 05-TC-021

vs.

Date: April 15, 2005

Oneida HRD-Benefits/Crawford Ins.
Respondent

Final Decision

This case has come before the Oneida Appeals Commission. Winnifred L Thomas, Janice L McLester, and Lois Powless Judicial Officers presiding.

Background

The Petitioner, Theresa Krueger, filed an appeal under Rule 6, Complaints and Answer of the Oneida Appeals Commission Rules of Civil Procedure. Ms. Krueger is seeking to overturn the decision of HRD-Benefits and Crawford & Co Insurance. Respondents had denied Ms. Krueger's claim. A hearing date had been set for Thursday April 14, 2005 at 9:00 a. m. at the Oneida Appeals Commission.

Analysis

The Petitioner, Theresa Krueger failed to appear for the hearing.

Under the Judicial Code, Rules of Civil Procedure; Rule 16 (A) & (C) Appearance Required:

(A) Parties to a case are required to appear before the Trial Court at any scheduled hearing, or proceeding, whether or not that party is represented by an attorney or other advocate.

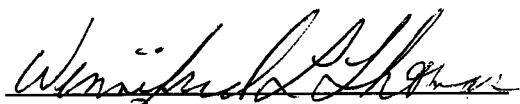
(C) Petitioner: When a party who has filed a claim fails to appear, plead, or prosecute said claim as provided in these rules or elsewhere, a default judgment may be granted by the trial court, dismissing the claim.

Decision

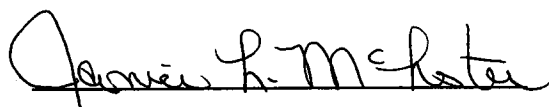
The Petitioner Theresa Krueger failed to appear. This case is dismissed.

It is so ordered.

By the authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91A of the General Tribal Council it is so held on this 15th day of April 2005, in the matter of Theresa Krueger vs. Oneida HRD-Benefits/Crawford Ins. Docket # 05-TC-021.



Winnifred L. Thomas, Lead Judicial Officer



Janice L. McLester, Judicial Officer



Lois Powless, Judicial Officer