

Oneida Appeals Commission

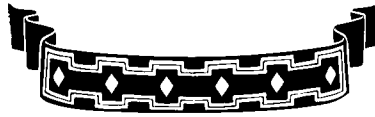
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Oneida, WI 54155



Trial Court

Charlene Smith,
Appellant

Docket No. 05-TC-039

vs.

Division of Land Management and
Oneida Land Commission,
Respondents

Date: September 21, 2005

Motion to Dismiss

This case has come before the Oneida Appeals Commission, Trial Court. Judicial Officers, Mary Adams, Janice McLester, and Leland Wigg-Ninham, presiding.

I Background

On April 25, 2005, Petitioner, Charlene Smith, filed a petition for a Declaratory Judgement and Breach of Contract on the terms of a mortgage contract entered into by Petitioner and Division of Land Management (DOLM), to purchase a home located at 1050 Pleasant Lane, Green Bay, WI 54155. On May 5, 2005 Respondents, Division of Land Management and Oneida Land Commission, submitted a Motion for Extension.

On June 30, 2005, a hearing was held. The parties agreed to stay the court's decision for forty-five days because there were two potential buyers of the said property which may cause the remedy of this case moot.

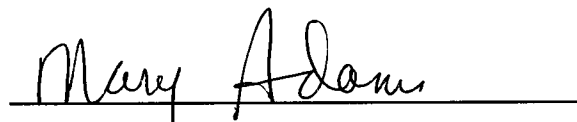
An extension order for thirty days was issued on September 14, 2005 to allow the parties to negotiate a settlement agreement. On September 21, 2005 Petitioner submitted a Motion to Dismiss due to a successful settlement and requests that this matter be dismissed with prejudice.

II Decision


This case is dismissed with prejudice.

It is so ordered.

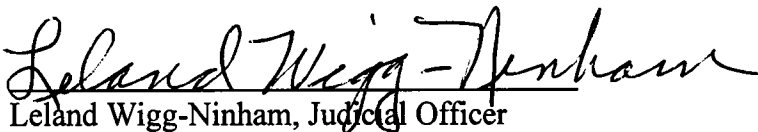
By the authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91A of the General Tribal Council it is so held on this 21st day of September 2005, in the matter of Charlene Smith vs. Division of Land Management/Land Commission, Docket No. 05-TC-039.



Mary Adams, Lead Judicial Officer



Janice McLester, Judicial Officer



Leland Wigg-Ninham, Judicial Officer