

Oneida Appeals Commission

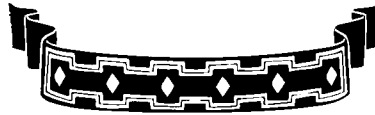
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Trial Court

Jason and Tana Aguirre,
Petitioners

Docket No. 06-TC-069

vs.

Oneida Land Commission and,
Oneida Department of Land Management,
Respondents

Date: August 3, 2006

Motion to Dismiss

This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers, Mary Adams, Gerald Cornelius, and Leland Wigg-Ninham, presiding.

I Background

On July 20, 2006, Jason and Tana Aguirre, Petitioners, filed for a Motion for Immediate Injunction/Temporary Restraining Order on sale of 431 Hillcrest Drive, Green Bay, WI by Oneida Land Commission and Oneida Department of Land Management, Respondents. Petitioners claim they need the TRO because they only have until July 31, 2006 to sign their closing.

On July 31, 2006, Respondents filed a brief in support of their Motion to Dismiss under the following grounds:

1. The Appeals Commission lacks jurisdiction over Petitioners' claims;
2. Petitioners have failed to state a claim upon which relief can be granted;

3. Petitioners lack standing as they have suffered no harm.

On August 3, 2006, Petitioners filed a Motion to Dismiss claiming they no longer wish to pursue this action.

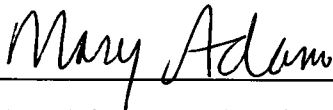
This court grants the Motion to Dismiss in accordance with Rules of Civil Procedure, Rule 14 (A), Voluntary Dismissal.

II Decision

This case is dismissed without prejudice.

It is so ordered.

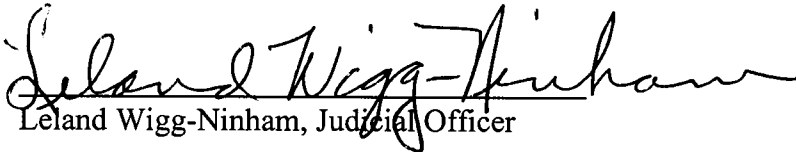
By the authority vested in the Oneida Tribal Judicial System pursuant to Resolution 8-19-91A of the General Tribal Council it is so held on this 3rd day of August 2006, in the matter of Jason and Tana Aguirre vs. Oneida Land Commission and Oneida Department of Land Management, Docket No. 06-TC-069.



Mary Adams, Lead Judicial Officer



Gerald Cornelius, Judicial Officer



Leland Wigg-Ninham, Judicial Officer