

COURT OF APPEALS

Diane Stumph,

Appellant

v.

Terry Jordan,

Respondent

Case No.: 20-AC-001

Date: August 10, 2020

INITIAL REVIEW DECISION

This matter has come before Appellate Judges: Leland Wigg-Ninham, Chad Hendricks and Patricia M. Garvey.

The Court of Appeals has jurisdiction of this matter pursuant to §801.8-2(a)(1) and (2) of the Oneida Judiciary Law and §806.6-1 of the Family Court Law, which grants this Court jurisdiction to review orders, sentences and judgments of the Trial Court and Family Court, and to review appeals of agency and administrative decisions.

The Appellant, Diane Stumph (hereinafter “Stumph”), filed a Notice of Appeal with this Court on July 9, 2020. After review of the information contained in Stumph’s Notice of Appeal and the decision of the Family Court, dated June 10, 2020, in case number 18-DI-014, it is determined that Stumph has sufficiently alleged the decision:

- 1) Is an administrative decision that is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with applicable law; and/or
- 2) Is not supported by the substantial evidence on the record taken as a whole.

Based upon the above, this appeal is ACCEPTED for review.

TO THE ONEIDA FAMILY COURT: As the original hearing body in the above captioned case, Notice is hereby given that the Oneida Judiciary, Court of Appeals has taken jurisdiction of this case and requires the hearing record as set forth in 805.8-4(a), “The record of the case shall consist of all papers filed with the Trial Court or original hearing body, exhibits, a transcript or audio recording of the proceedings, and the final decision of the Trial Court or original hearing body.” The record shall be filed with the Court of Appeals within thirty (30) calendar days upon receipt of this notice.

By the authority vested in the Oneida Judiciary, Court of Appeals, in Oneida General Tribal Council Resolutions 01-07-13-B and 03-19-17-A, the appeal is **ACCEPTED** for appellate review. Dated this 10th day of August 2020, in the matter of Case No. 20-AC-001, Diane Stumph v. Terry Jordan.

It is so ordered.