

**COURT OF APPEALS**

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Deborah Thundercloud and  
Jacqueline Smith,

Appellants.

Case No.: 20-AC-004

v.

Date: November 25, 2020

Cheyenne J. King,

Respondent.

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**INITIAL REVIEW DECISION & NOTICE**

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This matter has come before Appellate Judges; Leland Wigg-Ninham, Chad Hendricks and Jean Webster (pro tempore).

On October 29, 2020, the Appellants, Deborah Thundercloud and Jacqueline Smith (hereinafter “Thundercloud/ Smith”), timely filed a Notice of Appeal of the Oneida Judiciary Trial Court decision issued on September 30, 2020, which overturned the termination of the Respondent, Cheyanne King. After review of the information contained in Notice of Appeal, it is determined that Thundercloud/Smith has sufficiently alleged the Trial Court decision:

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

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

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

**TO THE ONEIDA TRIAL COURT:** As the original hearing body in the above captioned case, Notice is hereby given that the Oneida 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 review. Dated this 25th day of November 2020, in the matter of Case No. 20-AC-004, *Deborah Thundercloud and Jacqueline Smith v. Cheyanne J. King*.

***It is so ordered.***