

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Oneida Nation / Oneida Police Department,
PETITIONER,

v.

CASE NOS: 20-CT-012 and 20-CT-021

Jason E. Skenadore,
DEFENDANT.

DEFAULT JUDGMENT

This case has come before the Oneida Trial Court, Honorable Denice Beans presiding.

Appearing telephonically: Attorney Kelly McAndrews for the Petitioner: Oneida Nation/Oneida Police Department.

Non-Appearance: Respondent, Jason E. Skenadore.

BACKGROUND

Two citations were issued to the Defendant on May 6, 2020 for violating Oneida Code of Laws section **609.6-1(c)1**. Destroys land, and section **609.6-1(c)6**. Parks or drives any vehicle on the land. A hearing was scheduled for August 20, 2020 at 9:15 a.m.

FINDING OF FACTS

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. The Defendant received proper notice.
3. The Defendant did not appear at the hearing on August 20, 2020.
4. The Defendant was found in default for failure to appear, plead or otherwise defend.

PRINCIPLES OF LAW

Oneida Code of Laws Title 6. Property & Land - Chapter 609 Public Use of Tribal Land:

609.6. Trespass

609.6-1. A person trespasses if the person enters or otherwise occupies Tribal land and:

(c) Does any of the following without proper authorization through a lease, permit or as otherwise required under applicable law:

- (1) Destroys land, waters, livestock, poultry, buildings, equipment, or any property without consent or permission.
- (6) Parks or drives any vehicle on the land.

Oneida Nation Citation Notice:

If you do nothing, the Court may enter a default judgement which may include, but is not limited to, any fine amount that is due, restitution and/or suspension of any rights, privileges or licensures with the Oneida Nation.

ANALYSIS

The Defendant was cited for a violation of section **609.6-1(c)1**. Destroys land, and section **609.6-1(c)6**. Parks or drives any vehicle on the land. The Defendant is not required to appear for such violations, however, failure to do so may result in a default judgment. Here, the Defendant did not appear and/or defend against the citation. Therefore, the Court ordered a default judgment as described below.

ORDER

A default judgment is entered in favor of the Petitioner and against the Defendant in the amount as follows:

609.6-1(c)1. Destroys land

Fine:	\$300.00
Court Costs:	\$ 25.00

**609.6-1(c)6. Parks or drives
any vehicle on the land**

Fine:	\$300.00
Court Costs:	<u>\$ 25.00</u>
Total amount owed by Defendant:	\$650.00

The Total amount due is payable to the Oneida Judiciary **within ninety (90) days** from the date this Order is signed. Failure to pay is subject to the Nation's laws and remedies.

The parties have the right to appeal within thirty (30) calendar days after the date this order or judgement is signed.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council and this Order signed on August 20, 2020.

Denice Beans, Chief Trial Court Judge