

COURT OF APPEALS

Deborah Thundercloud and
Susan House,

Appellants.

v.

Kristine M. Hill,

Respondent.

Case No.: 21-AC-002

Date: May 19, 2021

INITIAL REVIEW DECISION & NOTICE

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

On April 28, 2021, the Appellants, Deborah Thundercloud and Susan House (hereinafter “Thundercloud/House”), timely filed a Notice of Appeal of the Oneida Trial Court decision issued on April 16, 2021, which overturned the termination of the Respondent, Kristine M. Hill. After review of the information contained in Notice of Appeal, it is determined that Thundercloud/House have 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;

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

Thundercloud/House also requested a stay of the April 16, 2021, Trial Court order pending appeal. Per the Rules of Appellate Procedure §805.5-1(a), the stay is **GRANTED**.

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, and the the Trial Court order is **STAYED**. Dated this 19th day of May 2021, in the matter of Case No. 21-AC-002, *Deborah Thundercloud and Susan House v. Kristine M. Hill*.

It is so ordered.