

COURT OF APPEALS

Lori Elm,

Appellant.

Case No.: 21-AC-010

v.

Date: November 1, 2021

Oneida Comprehensive Housing Divison,

Respondent.

INITIAL REVIEW DECISION & NOTICE

This matter has come before Appellate Judges; Leland Wigg-Ninham, Diane House, and Chad Hendricks.

The Appellant, Lori Elm (hereinafter “Elm”), filed a Notice of Appeal of the Oneida Judiciary Trial Court decision issued on September 2, 2021, with this Court on October 1, 2021. After review of the information contained in Notice of Appeal, it is determined that Elm 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 1st day of November 2021, in the matter of Case No. 21-AC-010, *Lori Elm v. Oneida Comprehensive Housing Division*.

It is so ordered.