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**ONEIDA JUDICIARY  
TRIAL COURT**

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**Oneida Nation / Oneida Police Department,  
PETITIONER**

v.

**CASE No: 21-CT-008  
21-CT-009**

**Juanita R. Blackbull,  
DEFENDANT**

**DATE: January 7, 2022**

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**ORDER**

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This case has come before the Oneida Trial Court, Honorable John E. Powless III presiding.  
*Appearing In-person:* Attorney Kelly McAndrews for the Petitioner: Oneida Nation/Oneida Police Department.

*Non-appearance:* Defendant, Juanita R. Blackbull.

**STATEMENT OF THE CASE**

On August 19, 2021, Defendant was issued citations for 304.6-4, *Animal at Large*, 1<sup>st</sup> offense and 304.5-2(b), *Failure to comply with Shelter Standards (outside)*, 1<sup>st</sup> offense. A Citation hearing was held December 16, 2021.

**PRINCIPLES OF LAW**

**Oneida Code of Laws. Title 8. Judicial System – Chapter 807 Citations.**

**807.6. Hearing Procedure.**

**807.6-1. Citation Pre-Hearing.**

(f) If a defendant does not appear at the pre-hearing or submit written notice that he or she is contesting the citation when there is a non-mandatory appearance, and the defendant has not entered into a stipulation or paid the fine and/or penalty as listed on the citation, the Court may proceed to enter a default judgment.

(1) A default judgment may include any fine amount due, restitution, suspension of any rights, privileges, or licensures, and/or any other penalty authorized by law.

### ANALYSIS

The Defendant was cited for violations in section 304.6-4 and 304.5-2(b). Neither violation requires the Defendant to appear. Failure to appear may result in a default judgment. Here, the Defendant did not appear or provide written notice she was contesting the citations. The Defendant also did not enter into a stipulation or pay the fine listed on the citation. Therefore, the Court ordered a default judgment as described below.


### FINDING OF FACTS

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. On August 19, 2021, the Oneida Police Department issued the following citations for violation of Chapter 304, Domestic Animal Ordinance.
  - a. 304.6-4, *Animal at Large*, 1<sup>st</sup> offense, \$100.00
  - b. 304.5-2(b), *Failure to comply with Shelter Standards (outside)*, 1<sup>st</sup> offense, \$100.00.
3. All those entitled to notice received notice of this hearing.
4. A hearing was held December 16, 2021.
  - a. The Defendant did not appear.
5. The Defendant was found in default for failure to appear.
6. The total amount of \$200.00 will be paid to the Oneida Judiciary within One hundred twenty (120) days from the date this Order is signed.

### ORDER

1. The Court orders Defendant to pay the following to the Oneida Judiciary on or before one hundred twenty (120) days from the date of this order.
  - a. 304.6-4, *Animal at Large*, 1<sup>st</sup> offense, **\$75.00. fine and \$25.00 court costs.**
  - b. 304.5-2(b), *Failure to comply with Shelter Standards (outside)*, 1<sup>st</sup> offense, **\$75.00 fine and \$25.00 court costs.**

By the authority vested in the Oneida Trial Court pursuant to Resolution 01-07-13-B of the General Tribal Council this order is signed on January 7, 2022.

  
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John E. Powless III, Trial Court Judge