

---

**ONEIDA JUDICIARY  
TRIAL COURT**

---

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

**v.**

**Case No: 21-CT-029**

**Cody Lauder,  
DEFENDANT**

**Date: January 7, 2022**

---

**ORDER**

---

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 and Defendant, Cody Lauder.

**STATEMENT OF THE CASE**

On October 8, 2021, Defendant was issued citation 309.9-8, *Possession of Prohibited Drugs*, 1<sup>st</sup> offense. A Citation hearing was held December 16, 2021.

**PRINCIPLES OF LAW**

**Oneida Code of Laws. Title 3. Health and Public Safety – Chapter 309 Public Peace.**

**309.9. Civil Infractions Involving Alcohol, Tobacco, and Drugs.**

**309.9-8. *Possession of Prohibited Drugs.*** A person commits the civil infraction of possession of prohibited drugs if he or she possesses or consumes a prohibited drug or is in possession of any drug paraphernalia.

**ANALYSIS**

In accordance with 309.9-8, if a person possesses or consumes a prohibited drug or is in possession of drug paraphernalia, the individual may be cited for possession of prohibited drugs. Here, the Defendant admitted to the citation, as a result, the Petitioner proposed to reduce the total amount owed from \$275.00, to \$225.00, which includes court costs.


### FINDING OF FACTS

1. The Court has subject matter, personal and territorial jurisdiction over this matter.
2. On October 8, 2021, the Oneida Police Department issued a citation to the Defendant for violation of 3 O.C. 309.9-8.
3. A hearing was held December 16, 2021.
4. The Defendant appeared in-person.
5. The Defendant verbally acknowledged his rights.
6. The Defendant did not dispute any claims regarding the citation.
7. The Defendant admitted to the *Possession of Prohibited Drugs* violation, 3 O.C. 309.9-8.
  - a. The Plaintiff proposed to reduce the total fine amount to \$225.00.
8. The total amount of \$225.00 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. 309.9-8, Possession of Prohibited Drugs violation, 1st offense, **\$200.00 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.

  
\_\_\_\_\_  
John E. Powless III, Trial Court Judge