

COURT OF APPEALS

DANIEL HAWK,
Appellant,

Case No.: 22-AC-005

v.

Date: June 9, 2022

JUDY M. CORNELIUS-HAWK,
Respondent.

INITIAL REVIEW DECISION

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

BACKGROUND

On June 7, 2022, Appellant Daniel Hawk (hereinafter “Hawk”) filed a Notice of Appeal of an Oneida Family Court (hereinafter “OFC”) Order issued on May 18, 2022. Hawk alleges that discovery in that matter was incomplete, and the OFC decision violates applicable provisions of the Oneida Constitution, was an administrative decision that is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with applicable law. Hawk is also requesting a stay on the final hearing scheduled for June, 9, 2022.

DECISION

This Court has the responsibility to be fair and consistent in its interpretation of existing Oneida law. When timelines are given, all that come to the Court must abide by the timelines. Pursuant to Oneida Rules of Appellate Procedure §805.6.1, *Appeal by Permission*, an appeal from an interlocutory order must be filed within ten (10) business days after the entry of such order. In accordance with Oneida Rules of Appellate Procedure §805.9-1, *Deadline Computation*, the Petition for Permission to Appeal in this matter should have been filed by June 3, 2022. Because Hawk failed to file the Petition for Permission to Appeal within the ten (10) business day timeline as required, this matter is **DENIED** for appellate review.

The request to STAY the hearing scheduled for June 9, 2022 is **DENIED**.

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, this appeal and the request for a stay are DENIED. Dated this 9th day of June 2022, in the matter of Case No. 22-AC-005, *Daniel Hawk v. Judy M. Cornelius-Hawk*.

It is so ordered.