

**ONEIDA JUDICIARY**  
Tsi nu téshakotiya?tolétha?

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**TRIAL COURT**

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**Oneida Nation / Oneida Police Department,  
PETITIONERS,**

**CASE NO: 22-CT-022**

**v.**

**DATE: September 15, 2022**

**Ramon M. Crowe,  
DEFENDANT**

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**DEFAULT JUDGMENT**

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This case has come before the Oneida Trial Court, Honorable John E. Powless III presiding.

*Appearing In-person:* Attorney Krystal L. John, representing the Petitioners.

*Non-appearance:* Defendant, Ramon M. Crowe.

**BACKGROUND**

In accordance with 3 O.C. 309.10-1, Defendant was issued a Littering Citation – 1<sup>st</sup> Offense and Defendant’s appearance is not required. This citation stems from an incident that occurred on June 11, 2022. On September 15, 2022, a pre-trial hearing was held.

**FINDING OF FACTS**

1. The Court has subject matter, personal, and territorial jurisdiction over this matter.
2. All entitled to notice received notice.
3. A pre-trial hearing was held September 15, 2022.
  - a. The Defendant did not appear.
4. The Defendant was issued a Littering Citation – 1<sup>st</sup> Offense.
  - a. This citation does not require a mandatory appearance.
5. The Defendant was found in default for failure to appear.

**PRINCIPLES OF LAW**

Oneida Code of Laws Title 3. Health and Public Safety - Chapter 309 Public Peace:

309.10-1. *Littering.* A person commits the civil infraction of littering if he or she deposits, throws, dumps, discards, abandons, leaves any litter on any private property or Tribal property.

Oneida Code of Laws Title 8. Judiciary – Chapter 807 Citations:

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 violating section 309.10-1, which does not require the Defendant to appear. Regardless, failure to appear may result in a default judgment. Here, the Defendant did not appear or provide written notice he was contesting the citation. 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.

**ORDER**

A default judgment is entered in favor of the Petitioner and against the Defendant in the amount as follows:

**Littering – 1<sup>st</sup> Offense – 309.10-1.**

Fine:	\$25.00
Court Costs:	<u>\$25.00</u>
<b>Total Amount owed by Defendant:</b>	<b>\$50.00</b>

The total amount due is payable to the Oneida Judiciary within **thirty (30) calendar days** from the date this Order is signed. Failure to pay is subject to the Nation’s laws and remedies.

**The parties have the right to appeal in accordance with the Nation’s laws.**

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council this Order is signed on September 15, 2022.

  
John E. Powless III, Trial Court Judge