
TRIAL COURT

**Oneida Nation / Oneida Police Department,
Petitioner**

v.

**Case No: 21-CT-049
21-CT-050**

Date: March 22, 2022

**Sydney R. Haven,
Defendant**

ORDER

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

Appearing In-person: Attorney Kelly McAndrews, representing the Petitioners.

Phone-appearance: Defendant, Sydney R. Haven.

Background

On December 16, 2021, Defendant was issued Disorderly Conduct and Nuisance citations. Disorderly Conduct citation does not require the Defendant to appear. Nuisance citation does require the Defendant to appear. On March 17, 2022, a pre-trial hearing was held.

Findings of Fact

The court finds as follows:

1. The Court has subject matter and personal jurisdiction over this matter.
2. All entitled to notice received notice.
3. On December 16, 2021, the Oneida Police Department cited Defendant the following citations:
 - a. Disorderly Conduct – 1st Offense in accordance with 3 O.C. 309.6-1.
 - b. Nuisance – 1st Offense pursuant to 3 O.C. 309.6-6.
4. On March 17, 2022, a pre-trial hearing was held.
 - a. Defendant acknowledged her rights at the hearing.
5. The parties stipulated to the following agreement at the pre-trial hearing:
 - a. Dismiss Nuisance citation – 1st Offense, 309.6-6.
 - b. Amend Disorderly Conduct citation, 309.6-1 – 1st Offense to include:
 - i. Defendant admittance to the citation.
 - ii. To reduce the total fine amount of \$275.00 to \$25.00 court costs to be paid within thirty (30) days to the Judiciary.
6. The Defendant agrees the fine and/or forfeiture constitutes debt owed to a tribal entity and non-payment is subject to Tribal remedy.
7. The Court agrees to the parties Stipulation and Agreement.

Analysis

The parties Stipulation and Agreement dismisses Nuisance – 1st Offense citation and amends the Disorderly Conduct – 1st Offense citation. The Disorderly Conduct - 1st Offense citation fine and court costs of \$275.00 is reduced to \$25.00 court costs and is to be paid within thirty (30) days from the date of this order.

Order

1. The Court accepts Defendant’s admittance plea to Disorderly Conduct – 1st Offense and dismissal of Nuisance – 1st Offense citation.
 - a. Disorderly Conduct – 1st Offense: \$275.00 fine reduced to \$25.00 court costs and shall be paid within thirty (30) days from the date of this order.
2. This Stipulation and Agreement is approved, and an ORDER AND FINAL JUDGMENT is entered by this Court requiring any fine and/or forfeiture be paid in accord with the above terms. Failure to pay in accord with the above terms is subject to Tribal Law and remedy.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council an Order was signed on March 22, 2022.



John E. Powless III
Trial Court Judge