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**TRIAL COURT**

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

v.

**Case No: 22-CT-028**

**Date: November 30, 2022**

**Roxanne R. Katers,  
Defendant**

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**ORDER**

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This case has come before the Oneida Trial Court, the Honorable John E. Powless III presiding. *Appearing In-Person:* Petitioner's attorney, Kelly McAndrews; Defendant, Roxanne R. Katers; and Crystal Stevens.

**Background**

On August 15, 2022, Defendant was issued a citation for Maintaining a Chronic Nuisance House – 1<sup>st</sup> Offense, pursuant to 3 O.C. 309.6-7. The citation required Defendant to appear in court for a hearing. On November 17, 2022, a pre-trial hearing was held, and the parties presented a stipulation for the court's consideration.

**Analysis**

**Peacemaking:**

In accordance with 8 O.C. 801.6, the Trial Court will provide peacemaking or mediation services to all parties within the Oneida Judiciary. Peacemaking or mediation cannot be ordered or mandated; the parties must be willing participants. Here, the Defendant requested to participate in peacemaking with members of her household to address any differences they may have. As peacemaking was a part of the stipulation that Defendant agreed to, the Court, which finds the stipulation to be reasonable, will measure Defendant's compliance with the stipulation based on her level of participation in the peacemaking process. A failure of another party to participate in the peacemaking process will not result in Defendant being found in non-compliance.

**Findings of Fact**

The Court finds as follows:

1. The Court has subject matter, territorial, and personal jurisdiction over this matter.
2. All parties entitled to notice received notice.
3. On August 15, 2022, the Oneida Police Department issued a citation for violation of 3 O.C. 309.6-7, Maintaining a Chronic Nuisance House – 1<sup>st</sup> Offense.
4. On November 17, 2022, a pre-trial hearing was held.
5. At the pre-trial hearing, the Court read the Defendant her rights, upon which she

acknowledged an understanding of those rights.


6. The parties stipulated to the following agreement:
  - a. The citation would be amended from Maintaining a Chronic Nuisance House citation – 1<sup>st</sup> Offense to a Nuisance citation – 1<sup>st</sup> Offense, with a penalty of \$25.00 for court costs, pursuant to 3 O.C. 309.6-6.
    - i. If Defendant complies with the stipulation, the \$100.00 citation fine is waived.
  - b. Defendant agreed to enter a no-contest plea to the charge of Nuisance – 1<sup>st</sup> Offense.
  - c. Defendant agreed to participate in the peacemaking process for a period not to exceed sixty (60) calendar days. The sixty (60) calendar days will start the day after this order is signed. The Defendant will also continue to participate in on-going external social services.
  - d. In the event the Defendant does not participate in peacemaking or Petitioner can demonstrate that she has not participated in on-going external social services in the next sixty (60) calendar days, the Nuisance citation will revert back to Maintaining a Chronic Nuisance House citation – 1<sup>st</sup> Offense without the need for Defendant to enter an additional plea of no-contest, and the total fine and court costs, in the amount of \$275.00 less any previous amounts paid related to this matter, will be due to the Judiciary within sixty (60) calendar days of the Court's order, which may be entered without further hearing, addressing the non-participation.
  - e. The Peacemaker will monitor and report to the court regarding the participation of the Defendant.
7. The stipulation and agreement of the parties is reasonable.

### Order

1. The stipulation of the parties is APPROVED.
2. Defendant shall pay court costs in the amount of \$25.00, due within thirty (30) calendar days from the date this order is signed. Payment shall be made at the Oneida Judiciary located at 2630 W. Mason Street in Green Bay or by calling (920) 496-7200.

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 November 30, 2022.

  
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John E. Powless III  
Trial Court Judge