

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

Oneida Nation / Oneida Police Department,
Petitioner

v.

Case No: 23-CT-010

Date: April 20, 2023

Alonzo Frias,
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; Defendant, Alonzo Frias.

Background

Defendant was issued a citation for *Possession of Prohibited Drugs*, 1st Offense, pursuant to 3 O.C. 309.9-8, stemming from an incident that occurred on January 2, 2023. The citation required Defendant's appearance. On April 20, 2023, a pre-trial hearing was held at which time, the parties filed a Stipulation and Agreement for the Court's consideration.

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 January 2, 2023, the Oneida Police Department cited Defendant with *Possession of Prohibited Drugs*, 1st Offense in accordance with 3 O.C. 309.9-8.
4. On April 20, 2023, a pre-trial hearing was held.
 - a. Defendant acknowledged his rights at the hearing.
5. The parties stipulated to the following agreement at the pre-trial hearing:
 - a. Defendant agreed to a no-contest plea to *Possession of Prohibited Drugs* violation, 309.9-8.
 - b. To reduce *Possession of Prohibited Drugs*, 1st Offense citation \$250.00 fine and \$25.00 court costs to a \$200.00 fine and \$25.00 court costs.
 - c. Defendant agreed to pay the total of \$225.00 within sixty (60) days from the date of this order to the Judiciary.
6. The Defendant agrees to 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 reduces *Possession of Prohibited Drugs*, 1st Offense total fine to \$225.00, under the condition Defendant pays the total fine of \$225.00 within sixty (60) days of this order.

Order

1. The Court accepts Defendant's no contest plea to *Possession of Prohibited Drugs*, 1st Offense.
2. The Court approves the parties' Stipulation and Agreement to reduce the total fine of \$250.00 and \$25.00 court costs to a \$200.00 fine and \$25.00 court costs to be paid in full within sixty (60) days of date this order is signed.
3. 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 April 20, 2023.



John E. Powless III
Trial Court Judge