

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

**Oneida Nation / Oneida Police Department,
Petitioners**

v.

Case No: 23-CT-073
Date: October 16, 2023

**Melissa R. Skenandore,
Defendant**

ORDER

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

Appearing In-person: Petitioners' Attorney, Krystal L. John; and Defendant, Melissa R. Skenandore.

Background

In accordance with 3 O.C. 304.6-4, Defendant was issued *Animal Running at Large*, 1st Offense citation for a dog named "Ethal". This violation does not require Defendant to appear. The alleged violation is the result of incidents that occurred on June 25, 2023. On September 21, 2023, a pre-trial hearing was held, at which time, the parties proposed a stipulation for the Court's consideration.

Principles of Law

807.6-2. Citation Hearing.

(b) As a result of the citation hearing the Court may issue an order which includes a determination as to the underlying violation of law as well as any fine amount, restitution, suspension of any rights, privileges, or licensures, and/or any other penalty as authorized by law.

Analysis

At the pre-trial hearing, the parties proposed a stipulation to the Court for consideration. The agreement eliminates the \$75.00 fine, but still requires Defendant to pay \$25.00 in court costs and restitution in the amount of \$410.00 to the Judiciary within ninety (90) days from the Court approving the parties' agreement. The Court is in agreement with the parties' stipulation.

Finding of Facts

1. The Court has subject matter and personal jurisdiction over this matter.
2. Defendant was issued Animal Running at Large, 1st Offense citation and received proper notice of this hearing.


- a. This violation does not require Defendant to appear.
3. Defendant does not object to being the owner of "Ethal".
4. Defendant acknowledged her rights.
5. Defendant was offered peacemaking.
6. The parties proposed the following stipulation for the Court's consideration:
 - a. Eliminate \$75.00 Animal Running at Large, 1st Offense citation fine.
 - i. Defendant agreed to pay \$25.00 in court costs.
 - b. Defendant agreed to pay restitution in the amount of \$410.00 to the Judiciary on behalf of Ryerse Schuyler.
 - c. Defendant agreed to pay court costs and restitution within ninety (90) days of a court order.
7. The stipulation and agreement are reasonable.

Order

1. The Court grants the parties' stipulation and agreement.
2. Defendant shall pay the following within ninety (90) days of a court order:
 - a. \$25.00 in court costs to the Oneida Judiciary.
 - b. \$410.00 in restitution to the Oneida Judiciary, on behalf of Ryerse Schuyler.

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 was signed on October 16, 2023.



John E. Powless III, Trial Court Judge