

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

---

**TRIAL COURT**

---

**Oneida Nation / Oneida Police Department,  
Plaintiffs**

v.

**Jayne B. Danforth  
Defendant**

**Case No: 23-CT-090**

**Date: November 27, 2023**

---

**DEFAULT JUDGMENT**

---

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

*Appearing In-person:* Plaintiffs' Attorney, Krystal L. John.

*Non-Appearance:* Defendant, Jayne B. Danforth.

**Background**

In accordance with 3 O.C. 304.6-4, Defendant was cited for allegedly violating Animal Running at Large, 1<sup>st</sup> Offense. This citation stems from an incident that occurred on September 26, 2023, as a result, a citation pre-trial hearing was held on November 16, 2023.

**Principles of Law**

**Title 3. Oneida Judiciary – Chapter 304: Domestic Animals**

**304.6. Dogs and Cats**

304.6-4. *Running at Large.* An owner shall not allow a dog or cat to run at large by being any place except upon the premises of the owner, unless the dog or cat is crated, penned, or on a leash under the control of a person physically able to control the animal.

- (a) A stray dog or cat running at large may be referred to the Oneida Police Department or Oneida Conservation Department.
- (b) When an Oneida Police Officer or Oneida Conservation Warden finds a dog or cat running at large, the officer and/or warden shall, if possible, pick up and impound such animal.
- (c) Whenever any impounded animal bears an identification mark, such as a collar with identification tags or license tag, the owner shall be notified as soon as reasonably possible.

## **Title 8. Oneida Judiciary – Chapter 807: Citations**

### **807.6 Hearing Procedure**

#### *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**

In accordance with 3 O.C. 304.6-4, an owner of a domesticated animal may receive a citation for Animal Running at Large when their animal is running at large outside the owner's premises.

Here, Plaintiffs allege Defendant violated 304.6-4, Animal Running at Large. On September 27, 2023, Oneida Police Officer's responded to 2501 Valiant Lane, Green Bay, for an alleged loose brindle-colored English Mastiff dog named "Chloe". The Defendant did not object to being the owner of "Chloe". Also, photos of "Chloe" at 2490 Valiant Lane, Green Bay, were provided to the Oneida Police Department (OPD). As a result of "Chloe" being off leash, outside Defendant's premises, the Defendant must be cited for Animal Running at Large. The Defendant was cited for violating Animal Running at Large, 1<sup>st</sup> Offense. Failure to appear may result in a default judgment. In this case, the Defendant did not appear or provide written notice she 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.

#### **Finding of Facts**

1. The Court has subject matter and personal jurisdiction over this matter.
2. Defendant was issued the following citations and received proper notice of this hearing:
  - a. 304.6-4, Animal Running at Large, 1<sup>st</sup> Offense citation.
3. A citation pre-trial hearing was held November 16, 2023.
  - a. The Defendant did not appear.
4. The Defendant was found in default for failure to appear.

#### **Order**

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

#### **23-CT-090; Animal Running at Large, 1<sup>st</sup> Offense – 304.6-4.**

Fine:	\$75.00
Court Costs:	<u>\$25.00</u>
<b>Total Amount owed by Defendant:</b>	<b>\$100.00</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 was signed on November 27, 2023.



\_\_\_\_\_  
John E. Powless III, Trial Court Judge