

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

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

v.

Case No: 23-CT-091
Date: December 26, 2023

**Apache Danforth,
Defendant**

FINAL ORDER AND JUDGMENT

This case has come before the Oneida Trial Court, Honorable Layatalati Hill presiding.

Appearing in person: Attorney Kelly McAndrews, representing the Petitioners. Defendant, Apache Danforth.

BACKGROUND

Defendant was issued a citation for Animal Running at Large-1st Offense, for violating Oneida Code of Laws section 304.6-4 for an incident that occurred on September 23, 2023. On December 21, 2023, a pre-trial hearing was held at which time the parties presented a stipulation for the Court's consideration. The Court approved the stipulation.

FINDING OF FACTS

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. At the pre-trial hearing, Petitioner presented Defendant's signed Acknowledgement of Rights form.
4. The Oneida Police Department cited Defendant with a citation, Animal Running at Large-1st Offense, for violating Oneida Code of Laws section 304.6-4 for an incident that occurred on September 23, 2023.
5. During the pre-trial hearing, the parties presented a stipulation for the Court's consideration.
6. The Court approved the parties' stipulation to reduce the fine to zero.

7. Defendant paid the \$25.00 court costs after the hearing on December 21, 2023.

PRINCIPLES OF LAW

Oneida Code of Laws Title 3. Health and Public Safety - Chapter 304 Domestic Animals:

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.

ANALYSIS

The Defendant was cited for Animal Running at Large-1st Offense. This violation carries a fine of \$75.00 and court costs of \$25.00. As a part of the stipulation, the parties agreed to reduce the fine amount to \$0.00 because Defendant took immediate corrective action to keep her cat from continuing to get loose. Additionally, Defendant has not been issued any other citations for a loose animal since September 23, 2023. As a result, the Court approved the stipulation.

ORDER

1. The Court accepts and approves the agreement of the parties as described below:

a. 23-CT-091: 1st offense, Animal Running at Large – 304.6-4.

Fine:	\$0.00
Court Costs:	<u>\$25.00</u>
Amount owed by Defendant:	\$25.00 (PAID on December 21, 2023)

2. This case is closed.

The parties have the right to appeal within 30 calendar days 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 December 26, 2023.

A solid black rectangular box redacting the signature of the Chief Trial Court Judge.

Layatalati Hill, Chief Trial Court Judge