

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

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

v.

CASE NO: 24-CT-030

DATE: November 26, 2024

**Michelle F. Denny,
Defendant.**

FINAL JUDGMENT AND SATISFACTION

This case came before the Oneida Trial Court, Honorable Patricia Ninham Hoeft presiding.

Appearing by telephone: Atty. Krystal John, on behalf of Plaintiffs.

Appearing in person: Michelle F. Denny, Defendant.

BACKGROUND

Defendant was issued a citation for the alleged violation of Oneida Code of Laws (O.C.L.), 309.6-6, Nuisance, stemming from an incident on August 18, 2024. The first offense violation requires a mandatory appearance and carries a \$100.00 fine plus \$25.00 for court costs. On November 21, 2024, a citation pre-trial hearing was held. During the hearing, the parties presented a verbal stipulation for the Court's consideration. The Court found the stipulation reasonable and approved it.

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. The Oneida Police Department (OPD) issued Defendant the following citation:
 - a. Nuisance, O.C.L. 309.6-6 – 1st offense, \$100.00 fine plus \$25.00 court costs stemming from an incident on August 18, 2024.

4. On November 21, 2024, a citation pre-trial hearing was held; Defendant acknowledged her rights and submitted the signed Acknowledgment of Rights form to the Court.
5. At the citation pre-trial hearing, the parties presented the following verbal stipulation for the Court's consideration:
 - a. Defendant agreed to enter the plea "Admit."
 - b. Plaintiffs' attorney agreed to decrease the fine from \$100.00 to \$25.00.
 - c. Plaintiffs' attorney requested, and Defendant agreed, that the Court recognize that the stipulation is based on Defendant's efforts to take responsibility for her conduct by working on her wellness including consulting with Wise Women Gathering Place for counseling, meeting with an AODA counselor, and creating a safe driving plan.
 - d. Defendant entered into the stipulation voluntarily and without coercion.
6. On November 21, 2024, the Court received \$50.00 from Defendant for payment of the fine and court costs.

PRINCIPLES OF LAW

O.C.L. Title 3. Health & Public Safety – Chapter 309 Public Peace

309.6-6. Nuisance. A person commits the civil infraction of nuisance whenever he or she engages in a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

- (a) substantially annoy, injure or endanger the comfort, health, repose or safety of the public;
- (b) in any way render the public insecure in life or in the use of property; or
- (c) greatly offend the public morals or decency.

ORDER

1. The Court accepts Defendant's plea of Admit and finds Defendant GUILTY.
2. The parties' verbal stipulation as incorporated in this order is **APPROVED**.

3. Defendant paid all amounts due as listed below:

a. Citation 24-CT-030, Nuisance – 1st Offense, O.C.L. 309.6-6

Fine: \$25.00

Court Costs: \$25.00

Total Amount Owed and paid by Defendant \$50.00

4. Defendant satisfied all conditions of the stipulation, and this case is closed.

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 26, 2024.



Patricia Ninham Hoeft, Trial Court Judge