

COURT OF APPEALS

Oneida Comprehensive Housing Division,
Petitioner,

Case No.: 25-AC-001

v.

Date: April 8, 2025

Paulette L. Leschig,
Respondent.

RULING ON PETITION FOR WRIT OF SUPERVISION

This matter has come before Appellate Judges Diane House, Michele Doxtator, Daniel Cornelius, and Chief Appellate Judge Patricia M. Garvey.

BACKGROUND

On March 26, 2025, the Trial Court upheld Respondent Paulette L. Leschig's ("Leschig") eviction from the premises at N6420 Evergreen Drive, Oneida, WI, 54155. In the Trial Court's final order for eviction, Leschig was given 30 days or until April 25, 2025, to vacate the premises along with an option to schedule access for removal of remaining property if needed.

On April 1, 2025, Petitioner Oneida Comprehensive Housing Division ("OCHD") has filed a Petition for Writ of Supervision requesting this Court to direct the Trial Court to amend its order dated March 26, 2025, regarding the timeline to vacate/change the locks imposed.

ANALYSIS

Oneida's Rules of Procedure are silent regarding the criteria needed for a higher court to issue a writ of supervision on a lower court. However, Oneida Rules of Appellate Procedure 8 O.C. §805.4-1, states in part that "matters and proceedings not specifically set forth herein shall be handled in accordance with reasonable justice, as determined by the Court." In Wisconsin courts, a writ will not be granted unless the petitioner has a clear legal right to the requested action. In

addition, the petitioner must show that (1) an appeal is an inadequate remedy; (2) grave hardship or irreparable harm will occur absent the requested relief; (3); the duty sought to be enforced is plain, and the trial court has or intends to violate that duty; no adequate remedy at law exists; and (4) the request has been made “promptly and speedily.” *State ex re. DNR v. Court of Appeals*, 2018 WI 25, 380 Wis. 2d 354, 909 N.W. 2d 114, 16-1980. State courts have also determined that a supervisory writ is “an extraordinary and drastic remedy that is to be issued only upon some grievous exigency.” *State ex. rel. Dressler v. Circuit Court for Racine County*, 163 Wis.2d 622, 630, 472 N.W.2d 532 (Ct. App. 1991). We find it reasonable to apply a grievous exigency standard as other courts have, although none exist in this case.

Based upon the foregoing, we deny this Petition for a Writ of Supervision to amend the Trial Court Order dated March 26, 2025, as the OCHD has remedies available pursuant to Oneida Rules of Appellate Procedure 8 O.C. §805.-1.

DECISION

Based upon the foregoing, the Petition for a Writ of Supervision is **DENIED**. The decision of the Trial Court is **AFFIRMED**.

By the authority vested in the Oneida Judiciary, Court of Appeals, in Oneida General Tribal Council Resolutions 01-07-13-B and 03-19-17-A, this Petition for Writ of Supervision is hereby **DENIED**. Dated this 8th day of April 2025. In the matter of Case Number 25-AC-001, *Oneida Comprehensive Housing Division v. Paulette L. Leschig*.

It is so ordered.