

ONEIDA JUDICIARY
Tsi nu téshakotiya?tolétha?

TRIAL COURT

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

v.

CASE NO: 25-CT-001

DATE: March 3, 2025

**Julie A. Cornelius,
Defendant.**

FINAL JUDGMENT AND SATISFACTION

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

BACKGROUND

Defendant was issued a citation for the alleged violation of Oneida Code of Laws (O.C.L.) 304.6-5, Nuisance Animal-1st Offense that carries a \$75.00 fine plus \$25.00 for court costs, stemming from an incident on or near Defendant's premises where Defendant's dog was allegedly barking and causing numerous complaints on December 24, 2024. On February 25, 2025, Defendant paid the fine.

FINDINGS OF FACT

1. The Court has subject matter and personal jurisdiction over this matter.
2. Defendant received proper notice.
3. The Oneida Police Department personally served Defendant with a citation for an incident occurring in the morning on December 24, 2024, on or near Defendant's premises where Defendant's dog was allegedly barking causing numerous complaints. Defendant resides at N6261 Onondaga Drive, Oneida, WI 54155.
4. Defendant was cited with the following:
 - a. a violation of O.C.L. 304.6-5, Nuisance Animal-1st Offense – first offense that carries a \$75.00 fine plus \$25.00 for court costs;

- b. On the citation, March 20, 2025 was the date listed for a citation pre-trial hearing; and
 - c. Defendant's appearance at the hearing was not mandatory.
5. On February 25, 2025, the Trial Court received from the Defendant the payment of \$75.00 for the full fine; the Court waived the \$25.00 for court costs because Defendant paid the fine prior to the hearing,

PRINCIPLES OF LAW

O.C.L. Title 3. Health and Public Safety – Chapter 304, Domestic Animals

304.6-5. *Nuisance*. An Oneida Police Officer or Oneida Conservation Warden may pick up and impound a dog or cat that has been found to be a nuisance. A dog or cat shall be found to be a nuisance if the actions of the dog or cat:

- (a) resulted in two (2) or more verified disturbances due to excessive barking and/or other noise by the animal, or the animal running at large; and/or
- (b) resulted in one (1) or more verified disturbance due to threatening behavior by the animal running at large.

O.C.L. Title 8. Judiciary – Chapter 807 Citations

807.3. Definitions

807.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(g) **“No contest”** means a plea by which a defendant will accept the charged violation of law but does not plead or admit guilt.

807.6-1. Citation Pre-Hearing.

807.6-1. *Citation Pre-Hearing*. All citations shall include a pre-hearing date with the Court which shall be set at least thirty (30) days after the citation was issued, unless stated otherwise by a law of the Nation.

- (a) Appearance at the pre-hearing shall be mandatory only when a law, policy, rule, or resolution of the Nation requires a mandatory appearance for that specific violation of law.
- (b) If an appearance is not mandatory, and a person does not wish to contest the citation, a person may pay the fine and/or penalty as listed on the citation prior to the pre-hearing date.

(1) If the person pays the fine and/or penalty as listed on the citation prior to the pre-hearing date the citation shall be considered satisfied.

O.C.L. Title 8. Judicial System – Chapter 801, Judiciary, Rule #1 – Oneida Trial Court Rules

1.17 Citation Hearings

1.17-1. This section shall govern the procedures for citation hearings.

(b) If a Defendant does not contest the violation and appearance is not mandatory, the Defendant may pay the fine in full before the pre-hearing day and the Court cost/fees will be waived.

ANALYSIS

When a person is issued a citation which is marked with a non-mandatory appearance and the person does not wish to contest the charges, the person does not have to appear in court if they pay the fine prior to the pre-trial hearing. In this case, Defendant's citation properly identified her appearance as being non-mandatory which provides Defendant the opportunity to not go to Court the fine is paid in full before the scheduled hearing. On February 25, 2025, Defendant paid the fine in full and 23 days prior to the hearing on March 20, 2025. Additionally, Defendant was not required to pay the additional \$25.00 for court costs because the Court waives court costs when the full fine is paid prior to the hearing. Finally, because Defendant's decision to pay the fine and not appear in court is the Defendant's decision to not contest the citation, the Court enters a plea of no contest to the charge and finds Defendant guilty. Therefore, Defendant has satisfied the conditions of this citation, and this case is closed.



ORDER

1. The Court finds Defendant **GUILTY**.
2. **25-CT-001:** O.C.L. 304.6-5, Nuisance Animal-1st Offense – first offense, \$75.00 fine plus \$25.00 court costs;
Fine: \$ 75.00
Court Costs – Waived: + \$ 00.00
Amount Paid in Full by Defendant: \$ 75.00
3. The Court waives the \$25.00 court costs.
4. Defendant satisfied the citation, and this case is closed.

5. The 9:00 a.m. March 20, 2025 citation pre-trial hearing is removed from the calendar.

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 March 3, 2025.

 
Patricia Ninham Hoeft, Trial Court Judge