

COURT OF APPEALS

Terrylee Blackowl,
Appellant,

Case No.: 25-AC-005

v.

Date: April 21, 2026

Oneida Comprehensive
Housing Division,
Respondent.

DISMISSAL ORDER

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

BACKGROUND

On January 29, 2026, the Court of Appeals denied Initial Review of Appellant Terrylee Blackowl's (hereinafter "Blackowl") appeal of her eviction case. On February 4, 2026, Blackowl filed Motions for 1) Reconsideration of Denial of Appeal; and 2) Injunctive Relief Against Respondent with this Court. On February 11, 2026, this Court granted the Motions for Reconsideration and Injunctive Relief to stay the eviction proceedings in the Trial Court and accepted the case for appellate review. In accordance with Rules of Appellate Procedure §805.8-4, the record of the case was ordered. The court record was received from the Trial Court, and the Certification of the Record was provided to the parties on March 24, 2026, including notice to Blackowl that her Appellate Brief was due on April 13, 2026. Blackowl did not file her Appellant's Brief by the close of business on the due date, nor did she request an extension. Blackowl filed her Appellant's Brief on April 13, 2026, which was the date it was due; however, it was received electronically after close of business at 4:57 p.m. with no explanation as to whether there was good cause for the delay.

ORDER

Rules of Appellate Procedure §805.9-2, *Extension of Time*, allows the Court, for good cause, to extend the time prescribed by these Rules or by its order to perform any act, or may permit an act to be done after that time expires. Blackowl did not file for an extension of time to file her Appellant's brief before 4:30 p.m. on the date it was due. It was filed on its due date, but it was twenty-seven (27) minutes late.

This Court strives to be consistent in its application of these Rules for all parties. According to the Rules of Appellate Procedure §805.9-1, all papers due to be filed with the Clerk are due prior to the close of business on the last day of the time period. Therefore, in accordance with §805.15-3(a), due to Blackowl's failure to comply with the timeline requirement of these Rules, this Court dismisses the appeal.

By the authority vested in the Oneida Court of Appeals, in Oneida General Tribal Council Resolutions 01-07-13-B and 03-19-17-A, this case is DISMISSED. Dated this 21st day of April 2026, in the matter of Case No. 25-AC-005, *Terrylee Blackowl v. Oneida Comprehensive Housing Division*.

It is so ordered.