

COURT OF APPEALS

Sherry R. Kasee,
Appellant,

Case No.: 26-AC-004

v.

Date: August 25, 2026

Oneida Comprehensive
Housing Division,
Respondent.

INITIAL REVIEW DECISION

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

BACKGROUND

The Appellant, Sherry R. Kasee (hereinafter “Kasee”), filed a Notice of Appeal with this Court on August 10, 2026. Kasee is appealing against a decision of Trial Court, dated July 28, 2026, upholding her eviction from the residence located at N7166 Path of the Wolf, Oneida, Wisconsin 54155. The eviction by the Respondent, Oneida Comprehensive Housing Division (hereinafter “OCHD”), was the result of a drug bust where illegal drugs and paraphernalia were found in the home. In addition, two (2) adults were arrested at the residence, including Sienna Kasee, the daughter of Kasee. Sienna Kasee’s two (2) minor children were also at the residence at the time of these arrests, with both testing positive for methamphetamine and fentanyl. Child Protective Services took custody of the children.

ANALYSIS

In the Trial Court, Kasee did not dispute the police report findings. She stated that she was not aware her daughter had relapsed after being sober for 6 years; nor was she aware her daughter was selling drugs; nor did she give permission for her daughter to bring drugs and drug paraphernalia into her home. Since the police reported alleged criminal activity on the property, OCHD was

entitled to evict Kasee pursuant to §610.5-3(c)¹ of the Eviction for Violation of Applicable Law or Rule or Nuisance by Occupant.

After review of the information contained in the Notice of Appeal and the Final Order of the Trial Court as the original hearing body, it is determined that Kasee has not sufficiently alleged that the decision:

1. Violated applicable provisions of the Constitution;
2. Violated provisions, substantive or procedural, of applicable Tribal law or applicable federal law;
3. Is an administrative decision that is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with applicable law; or
4. Is not supported by the substantial evidence on the record taken as a whole.

Kasee has failed to state the legal grounds for her appeal under Oneida Rules of Appellate Procedure §805.5-2(c)(3). By a preponderance of evidence, the Trial Court found that OCHD's allegations that a violation of law occurred were sufficiently substantiated. As a result, the Trial Court held that OCHD acted within its right to terminate Kasee's lease as the "owner may terminate an occupant's contract based on an alleged violation of applicable law..." pursuant to §610.5-3(c). We agree that OCHD acted within its right to terminate Kasee's lease as the Trial Court's findings and conclusions of law were supported by the evidence presented.

DECISION

For the reasons stated above, this appeal is DENIED for review and the Trial Court's Final Order upholding Kasee's eviction is AFFIRMED. The Stay on this eviction issued by this Court on August 11, 2026, is hereby LIFTED. In accordance with §610.5-3(c)(1)(B)², OCHD must give Kasee written notice that she must vacate the premises and give her at least five (5) calendar days to vacate the premises located at N7166 Path of the Wolf, Oneida, Wisconsin 54155.

¹ Title 6. Property and Land – Chapter 610 EVICTION AND TERMINATION was amended on July 8, 2026. The numbering has changed under the amendment. This case was decided under the old law, §610.5-3(c). The amended number is §610.9.

² Id.

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, the appeal is DENIED for review, the Trial Court Decision is AFFIRMED, and the Stay is LIFTED. Dated this 25th day of August 2026, in the matter of Case No. 26-AC-004, *Sherry R. Kasee v. Oneida Comprehensive Housing Division*.

It is so ordered.