
TRIAL COURT

**Oncida Nation / Oncida Police Department,
Plaintiffs,**

v.

**Kelsey M. Haven,
Defendant**

**Case No: 25-CT-031
Date: October 7, 2025**

ORDER

This case has come before the Oncida Trial Court, Honorable John E. Powless III presiding.

Background

In accordance with 3 O.C. 309.6-7, Defendant was issued a citation for allegedly *Maintaining a Chronic Nuisance House*, 1st Offense, stemming from an incident that occurred on April 26, 2025. At the plea hearing on June 19, 2025, the parties verbally presented a stipulation to the Court. On July 17, 2025, the parties formalized their stipulation to the Court for consideration, which the Court granted.

Principles of Law

Oncida Code of Laws Title 3. Health and Public Safety - Chapter 309 Public Peace:

309.6-7. *Maintaining a Chronic Nuisance House.* A person commits the civil infraction of maintaining a chronic nuisance house if he or she has three (3) or more police contacts occurring during a twelve (12) month period at the premises that he or she owns or occupies through a lease or rental agreement.

Analysis

In this case, the court order required the Defendant to refrain from negative police contact for domestic disturbance or illegal activity involving Defendant for a period of ninety (90) days. Upon the Defendant completing all conditions, Plaintiffs agreed to dismiss this case. The Court incorporated the parties stipulation on July 28, 2025. Ninety (90) days from the court order is October 26, 2025. On September 24, 2025, Plaintiffs notified the Court that Defendant failed to comply with the requirement to refrain from negative contact with law enforcement within a

ninety (90) day period. As a result, the court order governs how the Court will proceed when a required condition is not met.

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. On April 26, 2025, the Oneida Police Department cited Defendant with *Maintaining a Chronic Nuisance House*, 1st Offense in accordance with 3 O.C. 309.6-7.
4. On June 19, 2025, a plea hearing was held.
5. The parties agreed to, and the Court ordered the following:
 - a. There shall be no police contact for domestic disturbance or illegal activity involving Defendant for a period of ninety (90) days.
 - b. If this condition is not met, the citation fine will revert to the full amount of \$250.00, and due to the Judiciary within ninety (90) days from a court order.
 - c. Defendant is responsible for paying \$25.00 court costs to the Judiciary within thirty (30) days from a court order.
6. As of September 24, 2025, the Defendant did not comply with the condition to refrain from police contact for domestic disturbance or illegal activity involving the Defendant for a period of ninety (90) days.
7. The Court approved stipulation is vacated, and the stayed fine amounts shall be imposed.

Order

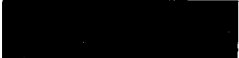
1. The Court removes the October 23, 2025, status hearing from the court's calendar.
2. The following citation fine and court costs are ordered:

25-CT-031; Maintaining a Chronic Nuisance House, 1st Offense – 309.6-7.	
Citation Fine:	\$250.00
Court Costs:	<u>\$25.00</u>
Total Amount owed by Defendant:	\$275.00
3. The total amount owed by Defendant shall be paid to the Oneida Judiciary within ninety (90) days of this signed court order or by **Monday, January 5, 2026, by 4:00 p.m.**

The parties have the right to appeal in accordance with the Nation's laws.

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council an Order was signed on October 7, 2025.



John E. Powless III
Trial Court Judge