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Appellate Court

Timothy Huff,
Appellant
v.

Docket # 95-EP-0003
Date: April 28, 1995

Oneida Police Department -
James Danforth,
Respondent

This case has come before the Oneida Appeals Commission. Commissioners Kirby Metoxen, Josephine Oudenhoven, Carole Liggins, Mark N. Powless and Dorothy Skenandore, presiding.

Upon all information, appellant's brief and written motion, the following findings have been made by the Oneida Appeals Commission.

Wherefore, the Oneida Appeals Commission finds that the Oneida Police Department, through Attorney Diane Danforth, filed a motion to dismiss the above case based on the facts of the case and lack of legal dispute. The Oneida Appeals Commission concurs with this motion and finds this appeal lacks merit.

Wherefore, the Oneida Appeals Commission finds that the Appellant Timothy Huff, through Attorney William Hinkfuss, filed a motion opposing the motion for dismissal of the above referenced case. The Oneida Appeals Commission finds that the acts committed by the Appellant (see signed, written statement dated 11/22/94) warranted disciplinary action. It is also the opinion of this body that the ten day suspension sustained by the appellant was not arbitrary or capricious in nature. The Oneida Appeals Commission finds that this appeal is without merit and that the motion opposing the motion for dismissal is denied.

It is hereby ordered that this appeal is hereby dismissed without prejudice.

By the authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91-A of the General Tribal Council, it is so held on this 28th day of April 1995.