

Oneida Tribal Judicial System

Onʌyote ʔ a:ka Tsiʔ Shakotiyaʔ Tolé hte

APPELLATE COURT

**Michael T. Debraska, Leah S. Dodge,
Frank Cornelius, John Orie,
Bradley Graham,
Appellants,**

Docket No. 14-AC-012

v.

**Oneida Business Committee,
Oneida Election Board,
Oneida Law Office,
Respondents.**

Date: September 5, 2014

ORDER LIFTING STAY

This case has come before the Oneida Tribal Judicial System, Appellate Court. Judicial Officers, Janice L. McLester, Lois Powless, Winnifred L. Thomas, James Van Stippen (pro tem) and Stanley R. Webster presiding.

I. Background

On August 22, 2014, Appellants appealed the Trial Court's dismissal of their action seeking to enjoin the Judicial Special Election due to the lack of a polling site in Milwaukee. Appellants also sought a declaratory ruling that all future elections, including special elections, must include a polling site in Milwaukee.

On August 22, 2014, we stayed the Special Election scheduled for August 23, 2014.

On August 28, 2014, the Business Committee passed Resolution 8-28-14-A authorizing a "one-time exception" to include the Milwaukee polling place for the Judicial Special Election.

On August 29, 2014, Respondents filed a Motion to Lift the Stay on Special Election. Appellants filed a response on September 2, 2014.

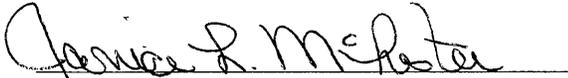
II. Decision

The basis for the stay, the lack of a polling place in Milwaukee, is no longer present due to the Business Committee's action. The special Judiciary election shall be held in accordance with Chapter 2, Oneida Election Law. However, the remaining issues in the case are still present; the case is not dismissed and the briefing shall continue as previously ordered.

The stay issued on August 22, 2014 is lifted.

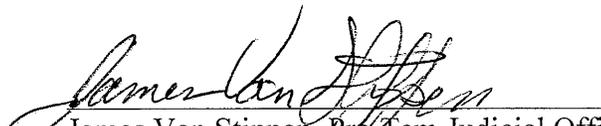
IT IS SO ORDERED.

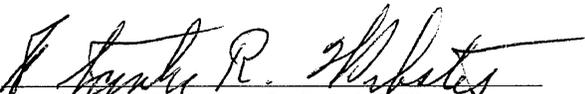
By authority vested in the Oneida Tribal Judicial System pursuant to Resolution 8-19-91-A of the General Tribal Council it is so held on this 5th day of September, 2014, in the matter of *Michael T. Debraska, Leah Sue Dodge, Frank Cornelius, John Orié, Bradley Graham v. Oneida Business Committee, Oneida Election Board, Oneida Law Office*, Docket No. 14-AC-012.


Janice L. McLester, Lead Judicial Officer


Lois Powless, Judicial Officer


Winnifred L. Thomas, Judicial Officer


James Van Stippen, Pro Tem Judicial Officer


Stanley R. Webster, Judicial Officer