

Oneida Tribal Judicial System

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TRIAL COURT

**Leah Sue Dodge,
Petitioner**

Docket No: 13-TC-126

v

**Oneida Land Commission,
Respondent**

**Order
Motion for Continuance, Motion for Recusal
&
Motion for Injunctive Relief**

This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officer; Jean M. Webster, Leland Wigg-Ninham, and Jim VanStippen presiding.

Background

On September 18, 2013, the Petitioner file a Motion for Continuance from the September 24, 2013 hearing date as the Petitioner needs more time to review information she only received on September 17, 2013.

On September 5, 2013 the court granted the Petitioner's motion and an Injunctive Relief hearing was scheduled for September 20, 2013. On September 11, 2013, Respondents filed a motion for continuance, due to the Respondent's Attorney having a prior commitment, and motion was granted. Injunctive Relief hearing rescheduled to September 24, 2013. The September 24, 2013 hearing was to discuss the merits of the case and decide whether the case would move forward to a trial.

On September 18, 2013, the Petitioner filed three motions: (1) Motion for Recusal and Substitution, (2) Motion for Injunctive Relief, and (3) Motion for Continuance.

On September 20, 2013 the court held a deliberation to address the three motions filed by the Petitioner. According to the Rules of Civil Procedure, Rule 31(B) 3) *“When a temporary restraining order is granted without notice, the Court shall cause to be scheduled, within three (3) days, a hearing for an injunction.”*

The Petitioner’s Motion for Continuance is as follows:

1. The purpose for the hearing on September 24, 2013 was to discuss the merits of this case. The Petitioner’s Motion for Continuance of this hearing is granted. This hearing is rescheduled for October 9, 2013,

The Petitioner’s Motion for Recusal and Injunctive Relief is a follows:

2. The court shall utilize the date of **September 24, 2013 at 2:00 p.m.** to address the Petitioner’s Motion for Recusal of Judicial Officers Jean M. Webster, Chris J. Cornelius, and Lois Powless, and the Motion for Injunctive Relief to halt the construction of the commercial office building, also referred in the petition as the “garage” located at 112 Riverdale Drive.

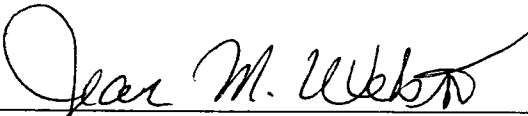
Decision

The Petitioner’s Motion for Continuance of the September 24, 2013 hearing which was to discuss the merit of the Petitioner’s case is granted and rescheduled to: **Wednesday, October 9, 2013 at 10:00 a.m.**

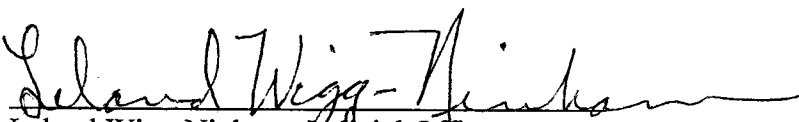
The Petitioners Motion for Recusal and Injunctive Relief will be heard on: **Tuesday, September 24, 2013 at 2:00 p.m.**

IT IS SO ORDERED.


By the authority vested in the Oneida Tribal Judicial System pursuant to Resolution 8-19-91A of the General Tribal Council a deliberation was held and decision issued on the 20th day of September, 2013 in the matter of Leah Sue Dodge v Oneida Land Commisison. Docket Number 13-TC-126.



Jean M. Webster, Lead Judicial Officer



Leland Wigg-Ninham, Judicial Officer



Jim VanStippen, Pro Tem Judicial Officer