
JOHN GRAY,

Plaintiff

14-CIV-00003

DANIELLE OAKES,

DECISION / ORDER

Defendant/Cross Claimant

DECISION/ORDER

On March 20, 2014, this action was commenced with the filing of a Summons and Complaint by Plaintiff John Gray, as Executor of his sister's Estate, seeking the return of a stove and refrigerator from the Defendant, Ms Oakes, AND the sum of \$1064.56 for the value of the stove and refrigerator, plus \$50 in court fees. On April 11, 2014, the Court received correspondence from Defendant alleging a Counter-claim for damage done to her property, specifically the apartment Defendant rented to Plaintiff's sister, and stating that she was "keeping the refrigerator and stove for damages done to the floor".

Appearances were scheduled before this Court, on notice to both parties, on June 13, 2014; July 25, 2014; and August 14, 2014.

The matter was scheduled for trial before this Court on April 17, 2015 at 9:00 am. Plaintiff contacted the Court to request an adjournment and the matter was adjourned to May 15, 2015

On May 15, 2015, the matter was called before the Court promptly at 10:00 am. The Court noted no appearance by Plaintiff Gray. Defendant/Cross-Claimant appeared and expressed her willingness to "drop" the counter-claim if Plaintiff "pays the fees". Upon informing Ms Oakes that there were no fees related to her counter-claim, Ms. Oakes agreed to the dismissal of her counterclaim against Mr Gray.

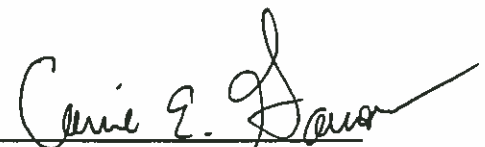
It is hereby ORDERED that the Plaintiff Gray's claim seeking the return of a stove and refrigerator from the Defendant AND the sum of \$1064.56 is DISMISSED without prejudice; and

It is further ORDERED the Defendant Oakes cross-claim seeking an unspecified amount is also DISMISSED.

This constitutes the Decision and Order of the Court.

DATED: May 15, 2015




Carrie Garrow, Judge
St. Regis Mohawk Tribal Court