

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Tribal Court



Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Phone: 231-242-1462

TRIBAL COURT

Case No: LT-010-0514

Little Traverse Bay Bands of Odawa Indians Housing Department

Plaintiff,

v.

Holly Anthony.

Defendant.

ORDER FOLLOWING MOTION FOR WRIT OF RESTITUTION

On May 19, 2014, John Givens, in his official capacity as the Director of the Little Traverse Bay Bands of Odawa Indians (LTBB) Housing Department (Plaintiff), filed a Complaint for Eviction and Unlawful Detainer against Defendant Holly Anthony. Plaintiff alleged that Defendant continuously refused to comply with the requirements of her lease, including failing to pay rents due, failing to pay electrical charges, and refusing to vacate the premises in accordance with a notice of eviction issued on May 23, 2014. *See Givens, Appendix C of Complaint.* As of May 12, 2014, Defendant had accumulated \$1439.00 in arrearages owed to the LTBB Housing Department for rent and utilities. Givens, Complaint for Eviction and Unlawful Detainer. Defendant promised to make such payment under the terms of lease signed on February 2, 2011. *See Givens, Appendix A of Complaint.* Plaintiff seeks the following relief:

- ORDER the removal of Defendant and her belongings;
- ORDER Defendant to pay all back rents and utilities;
- ORDER Defendant to pay for all damages caused to property other than ordinary wear and tear;
- ORDER Defendant to pay all costs and fees associated with bringing this action.


See Givens Complaint, *supra*. Plaintiff served the complaint upon Defendant via a summons on May 20, 2014. The terms of the summons noted that Defendant was required to, "within 28 days after service," answer the complaint. *Notice and Summons*, LT-010-0514 (May 20, 2014). Failure to comply with the terms of the summons subjected Defendant to default judgment proceedings for the relief demanded in the complaint. *Id.*

On June 26, 2014, the Court reviewed notice from John Givens, Director of the LTBB Housing Department, informing the Court that Defendant has reduced her outstanding balance to \$578. See Givens Email Reply to Court Inquiry for Sum Certain in the Case File. Accordingly, Plaintiff informed the Court that it no longer wishes to "proceed with the . . . procedure." See *id.*

As a result of Plaintiff's notice to the Court that it no longer wishes to pursue the case against Defendant, the Court hereby ORDERS this case dismissed and the file closed.

IT IS SO ORDERED

6/26/14
Date


Allie Greenleaf Maldonado, LTBB Chief Judge

CERTIFICATE OF MAILING

I certify that on this date copies of this *Order* were served to the parties by First-Class Mail.

6-27-14
Date


Tribal Court Officer