

HOW TO FILE YOUR COURT FORMS....

Filing forms *pro se* refers to filing the forms in court yourself, without legal representation. In addition, even if you do end up using a lawyer, teaching yourself how to go through the process *pro se* can equip you to be your own best advocate.

FILLING OUT THE PETITION: Be specific about what you are alleging and clearly state what you are asking the Court to do about it.

ATTACHMENTS: Are supporting documents to support petition all referenced attachments or required documents must be included with your petition, incomplete petitions and/or Court forms **WILL NOT BE FILED**.

MAKE COPIES: An original copy for the Court, one copy for you, and one copy for each party. There will be a charge of \$0.25 per page for copies at the Tribal Court.

FILING FEE: the filing fee is due when you file your complaint. Currently, the filing fee is \$132.00 The Tribal Court accepts cash or money order ONLY.

FILE YOUR PETITION: Bring the originals, copies and the filing fee to the Pojoaque Pueblo Tribal Court. The Court is located at 58 Cities of Gold Road, Santa Fe, NM 87506. The Court is open Monday – Friday 8:30 a.m. – 4:30 p.m. Hand all your paperwork including copies to the Clerk of the Court. At that time the clerk will file your paperwork and assign a case number.

SERVICE: you must have each party served with a copy of the complaint and all attachments. **(This is your responsibility)** Proof of Service is provided with each Petition. *The Court can serve your documents for a fee of \$20.00 per service.*

- Any person 18 years of age or older and not a party to the case may serve your court documents.

After all parties are served they have thirty (30) days to file an answer or a responsive pleading. If they do not and thirty (30) days have passed since the day your papers were served on them, you may ask the court for a default judgment. This requires a separate form.

Court staff **CAN** help with court procedures, rules and forms.

Court staff **CANNOT GIVE LEGAL ADVICE** or talk about your rights. They **CANNOT** fill-out forms for you. They **CANNOT** tell you if you have correctly worded your information or if you are properly presenting your case.

FILED

POJOAQUE PUEBLO TRIBAL COURT

DATE: ____/____/____ TIME: _____

COURT CLERK

**IN THE TRIBAL COURT
PUEBLO OF POJOAQUE
STATE OF NEW MEXICO**

_____, DOB: _____,
Petitioner(s),

Case No. _____

And on behalf of **minor** family members:

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

v.

_____,
Respondent(s),

PETITION FOR A RESTRAINING ORDER

I/we am/are the Petitioner(s) and I request a RESTRAINING ORDER, for these reasons:

1. Petitioner(s) is/are a resident(s) of Pojoaque Pueblo and is/are residing at the location of:
_____, within the Pueblo of
Pojoaque, State of New Mexico.

2. The person (Respondent(s)) I/we want a Restraining Order against live at this address:

Physical Address: _____

Mailing Address: _____

Alias: _____ DOB: _____ SSN: _____

Driver's License No: _____ State: _____

Sex: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____

Email Address: _____

Respondent is currently Incarcerated: YES Where: _____ NO

Employer: _____

Employer Address: _____

Employer Phone Number: _____

Respondent has the following weapons:

3. Respondent(s) has/have done some acts that seriously harm me/us and/or my/our minor children. Those acts are: [include the place, the date and the time and add extra pages if needed.]

(use additional paper if needed)

PETITIONER(S) REQUESTS THE COURT TO ISSUE THE FOLLOWING ORDERS:

- An Ex Parte Restraining Order, due to the serious nature of the acts, threats and/or harm that were done to me/us or my/our minor child(ren);
- A Temporary Restraining Order until a hearing can be held on this matter;
- A Permanent Restraining Order effective until _____.

PLAINTIFF SPECIFICALLY REQUESTS THAT THE COURT ORDER THAT:

- The Respondent(s) does not threaten, harm, alarm or annoy me or my family and household members either directly or through others.
- The Respondent(s) stay at least 100 yards away from me, my residence, my workplace and my child/children's school at all times;
- The Respondent(s) does not telephone me or contact me any way;
- The Respondent(s) does not block me in public places or roads;
- I also request that Respondent(s) be ordered not do the following:

WHEREFORE, Petitioner(s) prays that the Pojoaque Pueblo Tribal Court grant the Petition for Restraining Order as requested by the Plaintiff for cause showing.

RESPECTFULLY SUBMITTED:

Date: _____

Signature of Petitioner

Print Name

Signature of Co-Petitioner

Print Name

Petitioner Mailing Address

City/State/Zip

Phone

Email Address

NOTE: FILING FEE OF \$132.00 MUST BE PAID AT THE TIME OF FILING PETITION FOR PROCESSING AND COURT ACTION.

PROOF OF SERVICE

- You must have each party served with a copy of the complaint and all attachments. **(This is your responsibility)** Proof of Service is provided with each Petition.
- *The Court can serve your documents for a fee of \$20.00 per service. If you would like the Court to serve your documents please check this box.*

.....
I hereby certify that on _____ (date) a copy of this Petition for Restraining Order was:

HAND DELIVERED by: _____ (name of person who delivered) To: _____ (name of recipient) on _____ (date)

MAILED by United States certified mail, postage prepaid, and addressed to: (Attach certified mailing receipt)

Name: _____

Address: _____ City/State/Zip: _____

FAXED by: _____ (name of person who faxed document) to: _____ (name of recipient) at _____ (fax number). The transmission was reported as complete and without error. The time and date of the transmission was ___ a.m. p.m. on _____ date.

E-MAILED by: _____ (name of person who transmitted) to: _____ (name of recipient) at _____

(electronic mail address of recipient) who agreed to service in this manner. The transmission was successful. (Attach delivery report)

Signature

Date of signature

- **File this page with the Court after service has been made.**