

MESCALERO APACHE TRIBAL COURT  
MESCALERO, NEW MEXICO

Check List

**Protection/Restraining Order**

- Affidavit**
  
- Petition for Protection/Restraining Order**
  
- Note: If Children are included, give names and date of birth (DOB) for each child**
  
- Police report (if available)**
  
- All questions on the Petition are to be answered, if applicable.
  - If requesting restitution, a separate Affidavit must be filed.

In order to properly process the Petition for a Protection/Restraining Order, all necessary documents must be attached at the time of filing.

MESCALERO APACHE TRIBAL COURT  
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**COVER SHEET**

Type of Case: \_\_\_\_\_

**NAME OF PETITIONER(S):** \_\_\_\_\_

Social Security Number or Tribal Census Number: \_\_\_\_\_

Telephone Number or Message Number: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

RESIDENTAL ADDRESS: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

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**NAME OF RESPONDENT(S):** \_\_\_\_\_

Social Security Number or Tribal Census Number: \_\_\_\_\_

Telephone Number or Message Number: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

RESIDENTAL ADDRESS: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

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This information is necessary to process your case, and will remain confidential. If a civil action, the Court will collect the cost for mailing, to mail the complaint to the respondent by certified mail. A copy of the Affidavit, Petition, and all required documents are to be attached herein.

Thank you for your understanding: **The Mescalero Tribal Court**

**IN THE MESCALERO APACHE TRIBAL COURT  
MESCALERO, NEW MEXICO**

\_\_\_\_\_  
Complainant/Petitioner(s)

Cause No. \_\_\_\_\_

Vs.

\_\_\_\_\_  
Respondent

Enrollment No. \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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I, \_\_\_\_\_, the complainant in this cause state that the following statement(s) is/are true and correct to the best of my knowledge and belief:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant/Petitioner

Date: \_\_\_\_\_

Print Name \_\_\_\_\_

Enrollment No. \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

MESCALERO APACHE TRIBAL COURT  
MESCALERO, NEW MEXICO

Cause No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner

VS.

**Petition for  
Protection Order**

\_\_\_\_\_  
Respondent

I, \_\_\_\_\_, am an enrolled member of the \_\_\_\_\_ Tribe, and reside within the territorial jurisdiction of the Mescalero Apache Tribal Court. I am requesting a Protection/Restraining Order based on the following:

1. The Respondent is ( ) my spouse ( ) ex-spouse ( ) boy/girlfriend ( ) family member ( ) other: \_\_\_\_\_.
2. The Respondent has committed other acts of abuse. (Give a description to include the date, time, place, and type of abuse you suffered. Attach a police report and physician's statement, if available):

\_\_\_\_\_  
\_\_\_\_\_

3. Describe any threats, if any, by the Respondent that may cause fear that he/she will cause harm to you:

\_\_\_\_\_  
\_\_\_\_\_

4. Respondent and I have been involved in the following Court cases:

\_\_\_\_\_  
\_\_\_\_\_

5. The Respondent and I are parents to the following children: (Include full name and date of birth for each child)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. The Respondent ( ) has or ( ) has not abused the children.

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**MOTION FOR EMERGENCY PROTECTION ORDER**

NOTE: Mark this section ONLY if an Emergency Protection Order is necessary.

( ) I am requesting an Emergency Protection Order for the protection of myself and my children/family, until this case is heard in the Mescalero Tribal Court. The Respondent could become violent when he/she is made aware of this Petition.

**REQUEST(S) FOR RELIEF**

I am requesting that the Protection/Restraining Order be issued per the following:

( ) That the Respondent not harass me, threaten me or commit any further abuse against me;

( ) That the Respondent leave my place of residence located at:

\_\_\_\_\_

( ) That the Respondent stay 100 yards away from the following:

Place of residence located at: \_\_\_\_\_

Place of employment locate at: \_\_\_\_\_

School: \_\_\_\_\_

Childcare (if applicable): \_\_\_\_\_

Other: \_\_\_\_\_

( ) Order the Respondent not contact me in person, by telephone and/or third party;

( ) That the Respondent not sell, remove, hide, destroy or damage any property either owned by me OR owned jointly;

( ) That the B.I.A. Law Enforcement Officer accompany me to collect my personal belongings and/or remove my children/family from the residence.

*(This applies ONLY if the Petitioner chooses to vacate the residence)*

MESCALERO APACHE TRIBAL COURT  
MESCALERO, NEW MEXICO

( ) AND any other such relief necessary: (Give description)

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I hereby submit this Petition, in its entirety, as a true statement. I ask the Mescalero Apache Tribal Court to issue a Protection/Restraining Order based on the facts stated herein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Enrollment No.

\_\_\_\_\_  
Address

**NOTE:** If available, a copy of the police report and/or physician's statement is to be attached. If an Emergency Protection Order is requested, the Petitioner is to remain on the premises of the Mescalero Apache Tribal Court for further instructions.