

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.

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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: _____

NAME OF RESPONDENT(S): _____

Social Security Number or Tribal Census Number: _____

Telephone Number or Message Number: _____

MAILING ADDRESS: _____

RESIDENTAL ADDRESS: _____

PLACE OF EMPLOYMENT: _____

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 _____

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.

Respondent

**Petition for
Protection Order**

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.

I intend to file Criminal Charges. Criminal Charges have been filed.

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)

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

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.